HUMAN EVENTS

YOUR WEEKLY WASHINGTON REPORT

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Should Labor Unions Be Taxed?

By RALPH de TOLEDANO

The tax reform bill is "a major step down the road toward tax justice," says the Executive Council of the AFL-CIO, "but it has not gone far enough."

To this, Senators Paul Fannin (R.-Ariz.) and John J. Williams (R.-Del.) of the Senate Finance Committee are saying a loud "Amen." Of considerable logic to these two Republicans is the Executive Council's admonition that the Senate must "guard against attempts by lobbyists to preserve and widen their special interest loopholes."

Those words will live to plague the AFL-CIO when its president, George Meany, appears to testify in behalf of broadening the reform provisions of the House bill. For the House measure carries provisions which many in the Congress would like to apply across the board. If they do, labor's privileged sanctuary where taxation is concerned will be leveled.

The House, in seeking to close "special interest" loopholes, has singled out tax-exempt expenditures of various organizations if they spend money "(1) to carry out propaganda or otherwise attempt to influence legislation" and "(2) to influence the outcome of any public election, including voter registration drives." This 100 per cent tax can also be imposed on any foundation that spends money "for any purpose other than for the purpose specified in section 501(C)(3); that is to say, religious, educational and charitable."

That language, highly approved by Mr. Meany and the AFL-CIO, opens a wide door. For the unions, using funds collected by compulsory dues and assessments, have been propagandizing for their "special interests" with impunity over the years.

The AFL-CIO and its member unions have been spending millions of dollars in lobbying for legislation, in campaigning for congressional and other candidates, in contributing to the political committees of candidates to federal office, and in mounting voter-registration drives.

Sen. John Williams (R.-Del.), at left, is expected to cross swords with AFL-CIO head George Meany. At issue is the blatantly partisan political use to which labor unions use their dues and contributions.

At the same time, union funds have been plowed into billions of dollars on unrelated businesses and other investments, with the profits going untaxed. Unions own real estate, apartment buildings, banks and other business enterprises—one of Washington's biggest banks is virtually owned by the United Mine Workers Union—yet pay no taxes on what accrues to them from these activities.

If such groups, supported by voluntary payments from the public, are to be taxed for their political, lobbying and propagandistic work—and if this, as the AFL-CIO says, is a "major step toward tax justice"—then logic demands that the tax-exempt unions be treated in similar fashion.

The AFL-CIO applauds when churches now under fire for not paying taxes on unrelated business enterprises are included in the new reform proposals. The AFL-CIO is spending large sums lobbying for passage of this kind of reform. But it shouts in outraged indignation when it is suggested that what's sauce for the goose should be sauce for the gander.

Mr. Meany and labor's satraps on the Executive Council have always argued that the unions are in a different category and that the billions at their disposal, accumulated presumably for the purposes of collective bargaining and other strictly labor matters, are none of the business of the federal government.

When it is said, as I did last June, that "no conceivable reason, moral or financial, can be found to justify taxing the unrelated business income of churches but retaining the tax exemption of unions in similar circumstances," the labor movement writhes. But now, by its own words, the AFL-CIO has condemned the practice and the principle it now supports cannot be evaded.

It would be better to say, "should not" be evaded. For there is one reason the Congress has so far ducked the issue: Too many members of both houses are indebted to the unions for campaign contributions that won them election.

It would be interesting to poll congressmen on this point of union tax exemptions, and then to check with the Clerk of the House to see how many of those opposed to a tightening of the law also received labor help when they ran for office.

It will be interesting too, when the Senate Finance Committee holds its hearings on tax reform, to see which members attempt to question Mr. Meany and other labor witnesses, to ask them why it is right to go after foundations or reduce the oil depletion allowances for the oil industry but wrong to include the unions in this revenue-producing pursuit. It may be that those who have the courage to speak up will learn that labor's bark is much worse than its bite.

Labor went all-out for Hubert Humphrey and against Richard Nixon in 1968, as it goes out every two years against almost every Republican now holding a seat in the Congress. And if the unions are included in the tax reform measures, candidates independent of labor will not have to face the massed financial fire power of the unions in the future. This should embolden the timid on Capitol Hill.

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Capital Briefs

● There's more than meets the eye in the repeated press attacks on President Nixon's move to the **"Western White House"** in San Clemente, Calif. While the liberal reporters are making much out of the "cost" to the taxpayers—something they never worried about when JFK or LBJ went to their favorite retreats—their real gripe is that the President is trying to undercut, in the words of columnist Willard Edwards, "the Eastern political power apparatus, fortified by the Washington-New York City press, which has long exercised a disproportionate influence over GOP policy, steering it toward liberal doctrines."

● President Nixon's communications director, Herb Klien, also insists that the White House staff is "oriented away from the East Coast more than any staff in history." In essence this means that the White House is paying less attention to the New York Times and the Washington Post, twin pillars of the **Liberal Establishment.**

● The President, moreover, is using California as his **political power base** for the 1970 and 1972 elections. The Golden State, now the most populous in the nation and sporting a conservative Republican governor, will have the greatest bloc of electoral votes, 44 to 47, based on next year's census, in the '72 presidential election.

● Rep. **Leslie Arends** (R.-Ill.), Republican whip in the House and ranking member of the Armed Services Committee, has been picked by President Nixon to lead the fight for ABM approval in the House. Arends, according to insiders, feels funds for ABM deployment will be endorsed by an overwhelming margin, perhaps by as many as two-thirds of the members.

● Deputy White House Counsel **Clark Mollenhoff,** a top-notch investigative reporter when he was with the Des Moines Register, may turn into President Nixon's best ally and the Democrats' worst enemy. Mollenhoff's duties with the White House are to smoke out scandal or potential scandal so the President can act quickly to prevent any corruption from tainting his entire Administration the way it did LBJ's. But Mollenhoff will not only be working on possible corruption within the Nixon Administration. Democrats are said to be extremely worried that this prize-winning reporter, whose prowess in uncovering corruption is already legendary, will unearth so much dirt on the JFK-LBJ Administrations that the Democratic party will be discredited for years to come.

● The Veterans of Foreign Wars are furious with Mayor **John Lindsay** for kowtowing to militants who have hauled down an American flag atop a 50-foot flagpole on the city-owned traffic island at 125th St. and Seventh Ave. and replaced it with the black, green and red-striped banner of "black liberation." Because Lindsay has refused to do anything about it, the VFW have charged that the mayor "lacked the guts to have it removed." Other veteran groups have joined the anti-Lindsay chorus. Edward Flynn, commander of the Longshoremen's Post 7095 of the VFW, said: "I have never seen the men on the waterfront so bitter."

● Conservatives are delighted that **Pat Nixon,** in her first magazine article since becoming First Lady, has refused, like some of her predecessors, to press for additional federal programs. In the September Ladies Home Journal, Mrs. Nixon has appealed to American women to become involved in volunteer activities to help the "lost and forgotten, the hopeless and afflicted."

● Dr. **Philip Crane,** a leading conservative author and educator, has emerged as a top contender in the 10-man contest to capture the Republican nomination in Illinois' 13th Congressional District. The October 7 primary is being held to fill the seat vacated by Donald Rumsfeld when he resigned to become head of the Office of Economic Opportunity. Dr. Crane is waging a hard-hitting, strongly conservative campaign. He is director of the Intercollegiate Studies Institute, a member of the National Advisory Board of Young Americans for Freedom and a contributor to many conservative publications, including Human Events. Since the 13th is a solid Republican district, the GOP primary winner is expected to carry the general election with ease.

● Republicans in Massachusetts' 6th Congressional District picked **William Saltonstall** to run against Democrat Michael Harrington (not the Socialist) to fill the seat left vacant by the death of GOP Rep. William Bates. Saltonstall, son of the former senator, edged his more liberal opponent in the Republican primary last week and is slightly favored to win the runoff election against Democrat Harrington September 30. Although he was an early backer of Eugene McCarthy for President, Harrington has the support of the Kennedy-allied Democratic state chairman and is expected to receive considerable help from the Kennedy camp in his campaign. Observers, therefore, will be watching the race closely to see what political effect there is from Teddy's Chappaquiddick incident in his home state.

● An upcoming book by Harvard egghead **John Kenneth Galbraith** reveals that while ambassador to India from 1961 to 1963, he delighted in sending sarcastic messages to Secretary of State Dean Rusk. But Rusk gave at least as well as he took. When Galbraith cabled the State Department urging Washington to reverse its opposition to Red China's U.N. recognition, Rusk replied: "To the extent that your position has any merit it has been fully considered and rejected."

● California Gov. **Ronald Reagan** continues to hold lopsided margins over his potential 1970 opponents, statewide surveys disclose. The respected Field Poll, for instance, gives Reagan leads of 20 per cent or more against San Francisco Mayor Joseph Alioto, Assembly Democratic Leader Jesse Unruh, San Francisco State College President S.I. Hayakawa and former Gov. Pat Brown.

● **Dean Burch,** Barry Goldwater's hand-picked chairman of the Republican National Committee in 1964, has accepted the Administration's offer to become chairman of the Federal Communications Commission.

● **Paul J. Redmond,** a Boston attorney, will play a large role in the inquest into the death of Mary Jo Kopechne that begins this week. He will represent Jack Crimmins, Sen. Edward Kennedy's friend and chauffeur, and the five girls who attended the party on Chappaquiddick the night of Teddy's accident. Redmond once served as an assistant U.S. attorney to Paul Markham, Teddy's lawyer friend who helped the Massachusetts senator prepare his initial statement for police.

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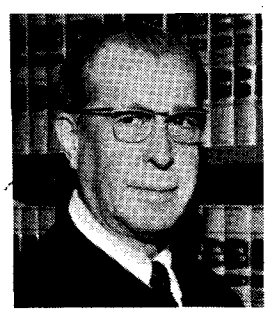
Haynsworth and Vend-A-Matic

Stung by President Nixon's firm decision to weed out the Warrens and the Fortases from the Supreme Court and replace them with conservatives and "strict constructionists," the liberal apparatus has decided to try to torpedo the nomination of Clement F. Haynsworth Jr., chief judge of the U.S. Court of Appeals for the Fourth Circuit, to fill the Fortas vacancy.



HAYNSWORTH

Americans for Democratic Action Vice-Chairman Joseph Rauh, who insists Haynsworth is a "hard-core segregationist" (a statement denied by even the *New Republic*), is spearheading a liberal assault on the South Carolinean, while AFL-CIO chieftain George Meany has been rounding up "labor" senators to oppose the Haynsworth nomination.

Rauh and Meany are frantically appealing to such lawmakers as Senators Joseph Tydings (D.-Md.) and Philip Hart (D.-Mich.)—both members of the powerful Judiciary Committee which will consider Haynsworth's nomination—to oppose the judge on ideological grounds, though in the past Tydings and Hart have decried efforts to block liberal justices because of their philosophical persuasions.

Since ideology and "strict constructionist" rulings are weak issues on which to hang Haynsworth, his opponents are now hurling, with more heat than light, a deadlier charge: "conflict of interest."

Syndicated columnists Frank Mankiewicz and Tom Braden, who represent the Kennedy wing of the Democratic party, leveled a heavy broadside at the judge last week for his former connection with Carolina Vend-A-Matic. The headline over their column in the Washington *Post*, the Capital's morning newspaper, read: "Haynsworth Was in Clear Violation of Canons of Ethics for Ten Years." The clear intent of the column was to try to fan Haynsworth's business dealings into another Fortas affair.

Boiled down to essentials, the Mankiewicz-Braden claim is this: Haynsworth helped form the Carolina Vend-A-Matic firm in 1950, took 15 per cent of the stock, was made first vice president and served as a member of the board of directors. Appointed to the Court of Appeals in 1957 by Ike, he kept his stock until April 1964.

In February 1963 Judge Haynsworth's court began considering an unfair labor practice charge against the Darlington Manufacturing Co., a subsidiary of Deering-Milliken, a large Southern company owning several textile mills. Deering-Milliken used Carolina Vend-A-Matic machines in three of its plants. Hence, when Haynsworth, in November 1963, wrote the 3-to-2 decision of the court siding with Darlington, he had, Mankiewicz and Braden smugly asserted, violated the conflict-of-interest code laid down by the American Bar Association—Canon 26 of the Code of Judicial Ethics. Canon 26 states: "A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court and after his accession to the bench, he should not retain such investments previously made longer than a period sufficient to enable him to dispose of them without serious losses."

Contrary to Mankiewicz-Braden, an analysis of the Haynsworth deal does not disclose any violation of Canon 26. The Canon should be read carefully. "A *judge* should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court. . . " (emphasis added). Haynsworth hardly violated this, since he had made his investment seven years before he became a judge.

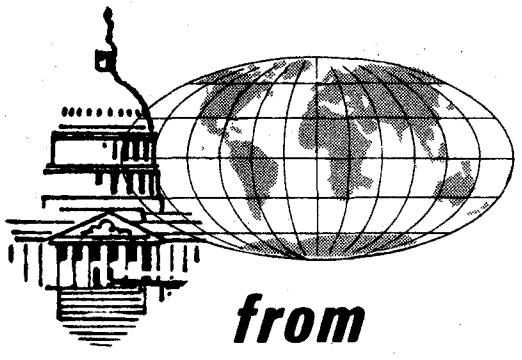
Furthermore, no one claims that Carolina Vend-A-Matic was involved in any litigation either before or after Haynsworth's accession to the court. Certainly it was not involved in the Darlington case, since Darlington didn't even use Vend-A-Matic machines.

In addition, there has been no convincing evidence that Haynsworth acted unethically by holding on to his part of Vend-A-Matic; many judges, including those on the Supreme Court, continue to have important financial holdings. Since selling a minority (one-seventh) interest in a company that is not publicly traded is often extremely difficult, Haynsworth waited to sell his stock when the entire company was sold.

Contrary to the impression conveyed by Mankiewicz and Braden, moreover, Vend-A-Matic's worth was not significantly tied to its dealings with Deering-Milliken.

While the vending machine company was grossing over $3 million a year, for instance, Deering-Milliken, with some 40 plants, mostly in South Carolina, had placed Vend-A-Matic food and beverage machines in only two plants by early 1963, one which was installed at the Marietta, S.C., plant in 1952, the other at Jonesville in 1958. Together they grossed only $50,000 yearly, with the profit margin estimated at not more than 10 per cent. In August 1963 Deering-Milliken, on the basis of a competitive bid, awarded Carolina Vend-A-Matic another contract worth $50,000 a year, but turned down two other Vend-A-Matic bids.

THIS WEEK'S NEWS



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Inside Washington

Hence, when Haynsworth ruled in Darlington's favor in November 1963, Deering-Milliken plants provided Vend-A-Matic between only 2 to 3 per cent of its gross sales—and Darlington was not one of those plants. Thus Haynsworth hardly appears to have been guilty of a massive conflict of interest.

Some observers point out, however, that since Vend-A-Matic did receive revenue from Deering-Milliken enterprises, Haynsworth, in order to remove even the faintest suspicion of bias on his part, might have been wiser to have stayed off the case. In retrospect, this would have been the more prudent course, but that does not mean he was in violation of any judicial code of ethics.

Indeed, Haynsworth's conduct on the court has been a model of judicial rectitude. When he went on the bench in 1957, for instance, he voluntarily—and six years in advance of ethical standards put forth by the prestigious U.S. Judicial Conference—resigned directorships in all publicly owned corporations (Vend-A-Matic was not publicly owned) on the grounds that holding such directorships might produce a conflict of interest.

Going further than most judges, he has also made it a rule to disqualify himself from any case in which his family law firm is involved. Many judges only disqualify themselves from cases on which they personally worked.

He has also been quick to adhere to standards issued by fellow judges. When the U.S. Judicial Conference, comprised of appellate court judges, passed a resolution in September 1963 against the holding of corporate office by federal judges, Haynsworth resigned his directorship in Vend-A-Matic.

The Darlington case, in fact, helped to underscore his integrity. On Dec. 17, 1963, Patricia Eames, an attorney for the Textile Workers Union, with which Darlington had had its dispute, addressed a letter to Simon E. Sobeloff, then the chief judge of the Fourth Circuit Court of Appeals. According to the letter, the message of an anonymous caller charged that Deering-Milliken, before the Darlington decision had been handed down by Haynsworth, had, in effect, offered to give Vend-A-Matic all the vending machine business in Deering-Milliken plants in exchange for Haynsworth's vote. At that time Deering-Milliken plants were using 10 different vending companies.

As requested by the letter, Judge Sobeloff immediately undertook an investigation of the matter. On Feb. 6, 1964, the union's attorney advised Judge Sobeloff as follows: "My letter to you caused trouble. I am genuinely sorry for that. Since we now know that the allegation made to our union was inaccurate, we know that the trouble was unnecessary."

On Feb. 18, 1964, Judge Sobeloff, at the request of Judge Haynsworth and with the concurrence of the entire court, transmitted his file concerning the matter to Atty. Gen. Robert Kennedy. In the letter of transmittal Judge Sobeloff stated that the attorney for the union "has acknowledged that the assertions and insinuations about Judge Haynsworth made to her by some anonymous person in a telephone call are without foundation, but I wish to add on behalf of the members of the court that our independent investigation has convinced us that there is no warrant whatever for these assertions and insinuations and we express our complete confidence in Judge Haynsworth."

On Feb. 28, 1964, Kennedy wrote to Judge Sobeloff, stating: "Your thorough and complete investigation reflects that the charges were without foundation. I share your expression of complete confidence in Judge Haynsworth."

Thus, unless there are some new and startling revelations in the weeks ahead, the liberals, hard as they might try, will find it exceedingly difficult to knock Haynsworth out of his job on a "conflict-of-interest" charge.

Brennan Case a Parallel

While Mankiewicz and Braden were roasting Haynsworth last week for his supposed violation of Canon 26 and his failure to relinquish important investments while on the court, Capitol Hill observers were wondering where the dynamic duo were earlier this year when it was revealed that Supreme Court Justice William Brennan Jr. owned a 1.4 per cent interest as a limited partner in Concord Village, a garden apartment complex in Arlington, Va.

Brennan's partners included Abe Fortas; Fortas' wife, tax lawyer Carolyn Agger; Chief Judge David L. Bazelon of the U.S. Circuit Court of Appeals in Washington; Judge J. Skelly Wright, also of the Circuit Court and former Justice Arthur J. Goldberg. If Haynsworth violated any legal Canon for holding on to his stock after he came on the court, then why no hue and cry about Brennan, et al., for having, after they were on the bench, entered into a financial arrangement that also could become involved in future "litigation"?

'New Left' Menaces APSA

The American Political Science Association, a respectable, scholarly organization with headquarters in the Nation's Capital, is in considerable danger of being taken over by New Left insurgents at its annual convention this week in New York's Commodore Hotel. At stake is the association's considerable prestige and power in academic circles, created largely because of its special projects and because many of its members and supporters hold positions of influence in both the government and at the universities. Also up for grabs, however, and maybe even more significant, is the association's monetary resources.

Under the guiding hand of its executive director, Dr. Evron Kirkpatrick, an old Hubert Humphrey associate who helped kick the Communists out of Minnesota's

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Democratic-Farmer-Labor party in the 1940s, the association has amassed some $3 million in assets and has an annual budget of close to $600,000. All this has now been jeopardized by the radicals who have been rapidly gaining strength within the organization, a condition that can be partly traced to the spineless policies of the association's current president, Prof. David Easton of the University of Chicago.

(Easton, for example, has backed a move to permit some of the radicals to run as part of the "moderate" slate. Aside from awarding them a host of other privileges, he has been instrumental in sprinkling the convention's discussion panels—to include such persons as Hubert Humphrey, Sidney Hook and Gerhart Niemeyer—with New Left types.)

Aided by such left-wing foundations as the Center for the Study of Democratic Institutions in Santa Barbara, Calif., and the radical Institute for Policy Studies in Washington, the New Left faction—euphemistically calling itself the Caucus for a New Political Science—has been waging a vigorous campaign to ram through the normally dull business sessions a full slate of New Left officers and a radical platform.

Moreover, the New Left is hoping to win the APSA elections by stacking the convention in a last-minute effort.

An almost unnoticed provision governing the convention, for instance, allows virtually anyone interested in political science to join the association and be eligible to vote, even after the convention gets under way. Indeed, one is entitled to both join and vote up through the first hour of the first business meeting that begins the afternoon of September 3.

Because of these incredibly loose regulations, the radical faction has plans to pack the all-important business sessions with graduate students from surrounding universities, with the full cost to each student a nominal $11—$5 in registration fees plus $6 in dues. Since from past history 1,000 members could easily be expected to control the business sessions, it would not take an enormous New Left investment to grab the reins—particularly with $3 million in assets at stake.

Nor is this all. The grapevine has it that the New Left has already resorted to threats and unless their forces get their way there is the overwhelming possibility that they will resort to the bullying and chaotic tactics New Leftists have employed on the college campuses all over the country.

Indeed, a taste of what may be forthcoming occurred last year during the association's annual meeting in Washington. Using obstreperous tactics and threatening to hurl chairs during the business sessions, a New Left faction pressured APSA members into changing the site of the 1970 APSA convention from Chicago to Los Angeles because of Mayor Daley's treatment of New Left activists during the 1968 Democratic National Convention.

The New Left "Caucus" has forthrightly declared what it intends to do should it get control of the association. In a June 1969 Newsletter, for instance, the Caucus, many of whose leaders are sympathetic to Ho Chi Minh and Fidel Castro, stresses that the American Political Science Association must come out against "campus repression" and "investigation of college unrest" by even local authorities in cooperation with college administrators.

APSA resources, the New Left states through its proposed platform, should be used to finance "peace studies," "studies facilitating" liberation and insurgent movements throughout the world and reasearch into "repression in America."

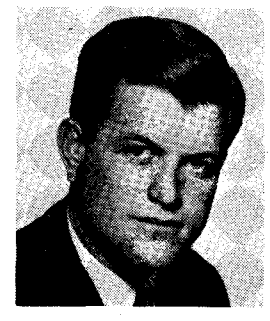
Aside from declaring that the APSA should revolutionize college curricula, the Caucus says the association should "sponsor and encourage study internships to non-Establishment political organizations, such as community action groups, peace groups, radical groups and student political organizations."

Whether the New Left faction will be able to pull off a victory is still debatable, however. Associate Prof. George Carey of Georgetown University has organized a counter-group with the hope of keeping the APSA in safe hands. Carey has been working hard to fire up the anti-New Left faction to prevent the APSA from being taken over by the "crazies."

The first big test of which faction will control the association should come Wednesday when the business session is scheduled to take up an amendment that would, in effect, permit contested offices, resolutions and amendments to be submitted to a mail vote of the entire membership. The purpose of the amendment is clear: to prevent the hotheads from stacking future conventions and gaining control of the APSA. The outcome could have significant consequences for the future of the universities.

Inquest at Edgartown

A battery of lawyers representing Sen. Edward Kennedy failed last week to win procedural changes in the upcoming inquest into Mary Jo Kopechne's death.



KENNEDY

The attorneys, led by Edward B. Hanify of Boston, had asked that criminal trial procedures be applied to the inquest, enabling them to monitor the entire proceedings, cross-examine other witnesses and raise objections. But Judge James A. Boyle, who will hold the inquest, rejected the Kennedy motion. "Witnesses will come in singly and may be represented in court for the sole purpose of being advised of their constitutional rights," Boyle declared.

The Kennedy lawyers promptly filed exceptions to Judge Boyle's ruling, which left the door open to appellate proceedings, possibly in Federal District Court in Boston.

Under Massachusetts statutes, Judge Boyle will hear all interested parties, then file a written report to the Superior Court as to the time and place of death, all material circumstances and the identity of anyone "whose unlawful act or negligence appears to have contributed thereto."

Elsewhere on the Kennedy front:

• Veteran reporter Arthur Egan of the Manchester (N.H.) *Union Leader* stuck by his story that 17 telephone calls were made on Teddy's credit card the night Miss Kopechne died. Kennedy supporters have pooh-poohed the Egan account, suggesting that the telephone company records do not contain the type of information cited by Egan. But in Nashville, Tenn., former U.S. Attorney James T. Neal declared: "Don't let them kid you. The phone company has [its] own methods of keeping tabs on where calls are placed from and this includes the use of credit cards."

• Longtime Kennedy aide Theodore Sorensen said last week that Teddy's "indefensible" actions should absolutely disqualify him from the presidency in 1972. Ironically, Sorensen is reported to have written Kennedy's televised version of the tragedy.

• A 100,000-word account of the accident, titled *The Bridge at Chappaquiddick*, will be published next year by Little, Brown and Co. The New York *Times* described the author, Jack Olsen, as a close friend of the family of Sen. Edward M. Kennedy, and said the volume will be published early next year.

NSA Direction: Far Left

Ignoring warm words of praise from the Nixon Administration, the National Student Association wound up its annual convention in El Paso last week as radical as ever. Despite the Administration's conciliatory gesture, the NSA plunged even further leftward by:

• Granting $50,000 in reparations to a separatist black militant group that broke away from NSA during the convention.

• Enthusiastically supporting a "Viet Nam Moratorium" that is designed to shut down the nation's colleges in November to protest American involvement in the war.

• Refusing to condemn "violence" and disruption on campus demonstrations.

The highlight of the NSA convention occurred last Monday when several dozen black militants broke up scheduled balloting for the position of NSA president. Led by dashiki-clad Muhammad Kenyatta, the militants stormed into the convention hall, ripped out a telephone on the platform, battered microphones to the floor and scaled a 15-foot wall to oust students controlling the public address system. Kenyatta railed against "institutional racism," then demanded NSA delegates finance a separatist National Black Students Association—which the convention did, to the tune of $50,000.

The balloting for NSA president was then postponed. One of the two candidates, Charles Palmer of the University of California, termed the invasion "justifiable" and said it would lead to "beneficial results—a lot of people were forced to stop and think."

Palmer's opponent, Clinton Deveaux, a liberal Negro from New York, was sharply critical of the disrupters. "The NSA congress should never again be allowed to remain defenseless in the face of an affront to its democratic procedure. It has a right not to be intimidated as it was last evening."

But Deveaux's nonviolent position won him few friends at the NSA convention. Favored to win until he spoke out against the black militants, Deveaux was beaten more than 2 to 1 by Palmer. The former University of California activist—a veteran of the recent "People's Park" campaign—was supported by the black separatists, who termed Deveaux an "Uncle Tom" for working with whites.

Palmer later announced that as NSA president he would establish "pragmatic" alliances between liberals and radicals to "fight back" against the present political and educational system.

Nixon Commends YAF

Human Events reported last week that the Nixon Administration had been lavishing an extraordinary amount of time and energy on wooing left-wing youth groups, even to the extent of sending a flowery note to the members of the anti-Nixon National Student Association. We also noted that the Administration had a chance to correct this imbalance of attention by displaying a goodwill gesture toward young conservatives gathered at the Young Americans for Freedom convention in St. Louis, Mo., August 28-31. The article, reportedly, caused a mild stir in White House and Republican National Committee circles.

Whether it was fostered by our efforts or not, the President, commendably, sent a glowing tribute to YAF on August 27. The message reads in part:

"At a time when America cannot afford to leave undeveloped the talents and abilities of any one citizen, you perform a most valuable national service. For in your ranks reside the civic spirit and enthusiasm so necessary to activate the youth of America and prepare them early for the challenges they will one day face as leaders of our great nation.

"You have recognized the value of past traditions and vigilantly sought to preserve our heritage for future generations. Strengthened by your adherence to the faith of our fathers, you—and other Americans like you—represent our faith in the future of our society and the fulfillment of our dreams.

"May you have a most successful convention and a productive year ahead."

ADA Roasts Nixon Administration

President Nixon has provoked the wrath of the left-wing Americans for Democratic Action. In a 12-page newsletter put out last week, the ADA chastized his Administration for setting "a sluggish pace legislatively and a reactionary one administratively."

Observing the Administration's over-all performance, the ADA remarked: "Its failure to recommend suitable tax reforms, its opposition to a simple extension of the Voting Rights Act, its support of manipulative electoral changes, its inadequate enforcement of existing civil rights laws, its emphasis on preventive detention rather than law enforcement protection, all go to

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form a governmental mosaic consisting of a philosophical commitment and ideological conviction that extends the 'Southern Strategy' utilized in the 1968 Nixon campaign to a condition of political permanence. . . ."

Particularly upsetting to the ADA was Nixon's recent attack on the House of Representatives for appropriating more money than he has requested for the nation's schools. "Despite the fact that this appropriation exceeded President Nixon's desire," noted the ADA, "it was approximately one-half less than the original authorization." The President, the ADA observed glumly, "has since threatened that if more than he requsted was appropriated he would not spend the overage."

Turning to Congress, the ADA said the Senate, "under the leadership of Majority Floor Leader Mike Mansfield (D.-Mont.) and Majority Whip Edward M. Kennedy (D.-Mass.), has compiled a progressive record. . . ." It cited lifting of the ceiling on some educational programs and "a continuous and intensive focus on military-defense matters."

While criticizing the formal Democratic leadership in the House, the ADA praised the Democratic Study Group—a liberal bloc within the House—and the special leadership of Representatives Donald Fraser (Minn.), John Brademas (Ind.), James Corman (Calif.) and James O'Hara (Mich.).

The ADA ranked the lawmakers on issues ranging from the Otepka nomination to the ABM in the Senate—a vote against was considered good by the ADA—and in the House from education spending to cigarette labeling.

SENATORS SCORING 100

DEMOCRATS: Hartke (Ind.), Muskie (Me.), Kennedy (Mass.), Hart (Mich.), Mondale (Minn.), Metcalf (Mont.), Harris (Okla.) and Nelson (Wis.).

REPUBLICANS: Case (N.J.) and Javits (N.Y.).

SENATORS SCORING 0

DEMOCRATS: Long (La.) and Eastland (Miss.).

REPUBLICANS: Fannin (Ariz.), Goldwater (Ariz.), Gurney (Fla.), Dole (Kans.), Curtis (Neb.), Thurmond (S.C.), Tower (Tex.) and Hansen (Wyo.).

REPRESENTATIVES SCORING 100

DEMOCRATS: Cohelan, Edwards, Corman, Hawkins, Rees and Roybal (all Calif.), Mikva and Yates (Ill.), Hathaway (Me.), Conyers and Diggs (Mich.), Fraser (Minn.), Clay (Mo.), Bingham, Chisholm, Farbstein, Koch, Lowenstein, McCarthy, Ottinger, Ryan, and Scheuer (all N.Y.), Stokes (Ohio), Green (Pa.), Meeds (Wash.) and Obey (Wis.).

REPUBLICANS: none

REPRESENTATIVES SCORING 0

DEMOCRATS: Alexander (Ark.), Sikes (Fla.), Stephens (Ga.), Colmer (Miss.), Mann and Rivers (S.C.), Burleson, Cabell, Casey, Fisher, Mahon and Purcell (all Tex.), Downing, Marsh and Satterfield (all Va.).

REPUBLICANS: Buchanan and Dickinson (Ala.), Rhodes and Steiger (Ariz.), Hammerschmidt (Ark.), Mathias, Teague, Utt, Wilson, Lipscomb, Goldwater, Smith and Wiggins (all Calif.), Roth (Del.), Cramer and Frey (Fla.), Blackburn and Thompson (Ga.), Hansen (Idaho), Arends, Erlenborn Reid, Springer, Collier and Derwinski (all Ill.), Bray, Dennis, Landgrebe and Myers (all Ind.), Sebelius, Shriver, Skubitz and Winn (all Kans.), Carter (Ky.), Morton (Md.), Vander Jagt (Mich.), Langen, MacGregor, Nelson and Quie (all Minn.), Hall (Mo.), Cunningham, Denney and Martin (all Neb.), Lujan (N.M.), King and McEwen (N.Y.), Broyhill, Jonas, Mizell and Ruth (all N.C.), Betts, Bow, Devine, Lukens, Miller, Minshall and Wylie (all Ohio), Belcher and Camp (Okla.), Corbett, Eshleman, Goodling, Johnson, Schneebeli, Watkins, Whalley and Williams (all Pa.), Watson (S.C.), Berry and Reifel (S.D.), Brock, Kuykendall and Quillen (all Tenn.), Collins and Price (Tex.), Burton (Utah), Broyhill, Poff, Wampler and Whitehurst (all Va.), May (Wash.), Davis, Steiger and Thomson (all Wis.).

'Times' Prints Anti-Kuznetsov Smear

Anatoly V. Kuznetsov, the 39-year-old Soviet novelist who has caused a sensation by his defection to the West and his charge that the Soviet Union is comparable to Nazi Germany, came under savage verbal assault last week—but not only from Moscow. The New York *Times* editorial page carried an article by playwright Lillian Hellman which attempted to cut up Kuznetsov into little pieces.

KUZNETSOV

While magnanimously conceding Kuznetsov's claim that the Soviets *do* harass their intellectuals and suppress or alter writings, Miss Hellman then proceeded to suggest by blunt statement or through innuendo that Kuznetsov was a "coward," an "informer," a "sniveler" and a "betrayer" of innocent friends. Her reasoning: Kuznetsov did not boldly proclaim his disagreement with the Soviets while he was inside Russia and he then "exposed" his friends still in the Soviet Union by revealing that they were discontented with the Kremlin's harsh authoritarianism—though many Soviet experts stress that Kuznetsov was not exactly fingering anyone new in such disclosures.

In a typical left-wing smear job, Hellman concentrated her fire on Kuznetsov rather than on his harsh and probing condemnation of the Soviets.

In featuring Miss Hellman's bit of viciousness, the *Times* informed its readers that she was a "playwright" and the author of *An Unfinished Woman,* but the *Times* neglected to say that Miss Hellman is also a leftist ideologue, a long-time apologist for the Soviet Union and a woman who has made a career of defending communism and Communist causes. She was, in fact, identified under oath as having been a member of the Communist party in the 1940s.

Even in her article on Kuznetsov, Miss Hellman feels compelled to stress that while Russia is "still in the days of the Revolution when it was perhaps understandable that men who were making a new world feared those who disagreed with them," Russia has also "made enormous advances in the way men eat, live and learn. . . ."

Indeed, Miss Hellman maintains, it is "unnecessary" for the Soviets to engage in censorship, for, as some Russian recently told her, "It makes no sense because if an election were held tomorrow, the only people voting against communism would be a few old ladies whose papas used to own farms in the Ukraine." In short, communism is wonderful, save for a few authorities who engage in censorship.

Miss Hellman's past associations help explain her bias. When she appeared before the House Committee on Un-American Activities on May 21, 1952, she said she was not a Communist, but she took the 5th Amendment when asked if she had been a Communist three years earlier. She also had lent her name to a string of Communist causes.

Moreover, as she admits in *An Unfinished Woman,* her paramour until his death in 1961 was author Dashiell Hammett, who was also identified as a Communist party member and never denied it. Miss Hellman herself admits (page 264) that Hammett "was often witty and biting sharp about the American Communist party, but, in the end, loyal to them." (Miss Hellman does not disclose her own relationship to the party or discuss her appearance before the House committee, thus causing some to suggest her memoirs should be more aptly titled, "An Unfinished Story.")

Thus, once again, the anti-Communist community in Washington notes, the New York *Times* has employed a committed leftist—without disclosing this fact—to destroy the reputation of someone who has provided valuable insights into the sicknesses of the Soviet Union.

Lindsay's Political Ethics Doubted

Mayor John Lindsay, in a desperate fight for re-election, has not aided his chances by his admission that he has been a passenger on aircraft owned by a major drug company doing business with the city.

LINDSAY

Newspapers recently reported that Gotham's mayor and two aides were aboard a Bristol-Myers-owned Falcon jet that flew the party to a banquet session of the Southern Christian Leadership Conference in Charleston, S.C. Last year, it also develops, the mayor "thumbed a ride" on the same eight-seater plane to Syracuse.

The mayor's actions were clearly contrary to the city's own charter. That document plainly states that no New York official may accept "any valuable gift, whether in the form of service, loan, thing or promise or any other form," from anybody interested in city contracts. Yet Bristol-Myers sold $620,000 worth of antibiotics to New York last year and, on two-thirds of that amount, was the sole bidder.

As the New York *Times* stated: "A hitch in a corporate jet, even when it is already going in your direction, provides enough of a breach in that rule to be embarrassing. The result was bound to be a case of fly now, pay later—in political grief."

This recent disclosure only bolsters the *Human Events* report of last week: that Lindsay's political ethics are no longer so pure as they may have once seemed. Top Nixon Administration officials, in fact, have portrayed the mayor as "completely indifferent" to organized crime and have even hinted that Lindsay has made a deal with Cosa Nostra officials to get re-elected.

They base this charge on the fact that on July 31, after several weeks of back-room dealing, Lindsay won the political support of Anthony Scotto, a vice president of the International Longshoremen's Association. A potent figure in New York politics, Scotto joined with others to create the Independent party so that Lindsay would get an added line on the November ballot.

Scotto, however, has been tagged as a Cosa Nostra big-wig by Atty. Gen. John Mitchell. Nevertheless, despite Mitchell's accusation, Lindsay lavished praise on the long-time ILA leader—thus leading many to conclude that a Lindsay-Scotto deal has been consummated.

OEO Cracks Down

The revamped Office of Economic Opportunity served notice recently that it was declaring war on radical activists who have seized control of "community action programs" from coast to coast.

OEO Director Donald Rumsfeld announced in Washington that all funds had been cut off to a Minneapolis program—Citizens Community Centers, Inc.—and agency officials disclosed that similar actions may be in the works nationwide.

CCC is a $420,000-a-year operation, employing from 60 to 70 staffers who have been active in fomenting local unrest. In a point-by-point dissection of CCC procedures, OEO disclosed:

"Through rigged elections and the systematic use of fear and intimidation, the control of CCC has been taken away from the community it was designed to serve. CCC board meetings have been chaotic and dominated by hostility and harassment.

"The democratic processes through which a delegate agency governing board is intended to arrive at its decisions have been subverted. The time, place and agenda of board meetings, as well as parliamentary procedures used at such meetings, have been manipulated to frustrate the legitimate desires of board members to express their views and vote on issues. As a result, the issues of poverty have been subordinated to infighting and conflict over control of the agency."

OEO investigation disclosed that activists dedicated to "extremely militant tactics of confrontation" seized control of CCC for their own ends. Checks were signed by unauthorized persons, financial reports "disappeared" suddenly and other records were "incorrect and incomplete in material respects."

OEO officials said that the lessons learned from the Minneapolis case would be applied nationwide. "We're serving notice that where this kind of thing has happened in the past, it won't be tolerated in the future," said one anti-poverty spokesman in Washington.

REPRINTS AVAILABLE

"The Alchemists in Our Public Schools" by Roger A. Freeman, an article which appeared in the July 26 issue of **Human Events**, is now available as a reprint. Prices: 35¢ each; 10 for $3; 50 for $12.50; 100 for $25; 500 for $100. Also available is the two-page article by Al Capp, **"Harvard's Tragedy: Too Arrogant . . . Then Too Cowardly."** Single copies 30¢; 10 for $2.50; 50 for $10; 100 for $15.

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'How to Control Military'

Galbraith's Poppycock

From the Birmingham (Ala.) *News*

Harvard economist John Kenneth Galbraith has just published a slender book (69 pages) on *How to Control the Military* which is described as a "vital, compelling document," but which contains a considerable amount of pure poppycock. Sample: "[To the military mind], the national interest is total, that of man inconsequential."

Economist Galbraith has been complaining about all sorts of things for a good many years. Now he is complaining about the ABM ("irrelevant and possibly dangerous as a defense"), the Armed Services Committees ("rubber stamps for the military"), Mendel Rivers, Richard Russell, Strom Thurmond, John Tower "and the other sycophants of the military from the South," U.S. policy toward Cuba, Laos, Viet Nam, and points north, south, east and west, and, of course, the military-industrial complex. This latter bogey Prof. Galbraith hates unto the nth degree.

He informs us, with a perfectly straight face, that the American military establishment, working hand in glove with American industry, is prepared to accept "total death and destruction. . .if some thread of national interest can be identified in the outcome."

He informs us that "the Air Force wants a new generation of manned bombers, their vulnerability notwithstanding, because an Air Force without such bombers—with the key fighting men sitting silently in underground command posts—is much less interesting."

He informs us that Boeing, General Dynamics, Lockheed, North American Rockwell, Grumman, Ling-Temco-Vought, and McDonnell Douglas manufacture weapons of war. If that isn't sinister, what is?

And he informs us—in tones vaguely reminiscent of the movie *Dr. Strangelove*— that "powerful men in the Pentagon" are becoming a law unto themselves. "These men have bent America's priorities to satisfy their own desires."

This is poppycock.

Moreover, it is crude and sophomoric poppycock—the sort of thing one might find in some of the more adolescent campus publications. Galbraith knows better than this.

But what, after all, is his plan for controlling the military? Well, he says Congress must teach the military that America earnestly desires to bargain with the Soviet Union in good faith. All those old-fashioned slogans ("We must resist worldwide Communist aggression," "We must not reward aggression," "We must stand by our brave allies") must be junked. They're not relevant anymore. "Our foreign policy has changed. It is the Pentagon that hasn't."

Prof. Galbraith would have us to know that "communism seems somewhat less triumphant than 20 years ago," and therefore America ought to call it a day, dismantle the military-industrial complex and stop talking about "leading horse guards to the rescue [with] the ABM."

There is a point at which one is turned completely off by this kind of argumentation. Prof. Galbraith has not written a book; he has produced a tract—a smug, partisan pamphlet for the benefit of his immediate friends. He adduces no concrete evidence at all to support his central thesis—that militarists and greedy industrialists will get us if we don't watch out.

He mentions our space program only once—and then in the most cryptic sentence of all:

"Control of the military power. . . is an issue for every citizen who finds the policy images of this bureaucracy—the Manned Orbiting Laboratory preserving the American position when all or most are dead below—more than a trifle depressing." (We have omitted nothing of substance by the elipsis.)

One wonders what can possibly be going through Prof. Galbraith's mind. Can he really believe what he says?

Ah, but on the subject of economics. . . .

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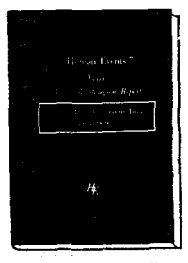

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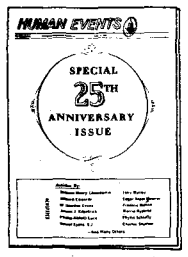

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The agony of U.S. servicemen in Viet Nam continues as casualties rise despite the Paris peace talks. Since December 1961, more than 38,000 GIs have died in combat.

Viet Nam Casualties Increase

By GEN. THOMAS A. LANE

Did you have some impression that the war in Viet Nam was slackening and that the North Vietnamese might be responding with reduced activity to the Nixon peace initiatives? Perish the thought! After a careful review of casualty statistics, the *Armed Forces Journal* has concluded:

"Despite the very recent lull in combat activity—and the cautiously optimistic recognition of same by top Defense Department and White House officials—the harsh fact is that U.S. military forces in Viet Nam have suffered approximately 30 per cent more combat deaths in the first six months of the Nixon Administration than in the last six months of the Johnson Administration."

You will remember that President Johnson long contended he would not stop bombing the north because such action would increase our casualties in the south. He did. It did.

Our news media have used stories about returning U.S. forces to create an impression of enemy retreat. Some reduction of casualties from peak losses has seemed to support the thesis. We have not heard about the sharp increase in South Vietnamese casualties. The general picture is worsening.

From the last six months of Johnson to the first six months of Nixon, U.S. combat deaths jumped from 4,894 to 6,358; U.S. wounded jumped from 31,557 to 45,563; and Republic of Viet Nam combat deaths jumped from 6,365 to 17,139. In the first six months of Nixon, U.S. combat deaths decreased between the first and second quarters from 3,292 to 3,066; but RVN combat deaths increased from 3,579 to 13,560. The course of war is apparent.

The kill ratio of enemy combat deaths to total allied combat deaths is also significant. In the last six months of 1968 the ratio was 5.49. For the first six months of 1969 it stood at 3.95. Between the first and second quarters of this year, the kill ratio dropped from 6.74 to 2.76.

These figures describe a war which is moving to the advantage of the enemy. The sharp increase in our casualties may be due in part to seasonal factors, but it shows the vigor of the enemy aggression. A small reduction in U.S. casualties in the second quarter is more than offset by drastic increases in South Vietnamese losses. And while our side has taken increased losses, enemy losses have actually decreased.

These figures suggest that South Vietnamese forces are being rushed into battle without adequate training or with inferior equipment. If the replacement program is further accelerated to serve U.S. politics, the losses may be further increased. Poorly trained RVN units will become targets of enemy attack. RVN morale may be endangered.

The U.S. Army has long recognized the importance of careful conditioning of new troops for battle. New units must first be used under conditions which will enhance their pride and confidence. That is how new RVN units should be committed to battle.

The old lesson for all citizens is that we must be skeptical about our own propaganda. Watch the Vietnamese casualties to see how the war is really going. Keep in mind also that you must multiply RVN casualties by 12 to get a comparable proportion of our population.

Thus the 13,560 RVN combat deaths in April, May and June are the population equivalent of about 163,000 U.S. combat deaths in the same period. Our actual deaths were 3,066, about 2 per cent of the South Viet Nam loss rate.

These early figures warn us that the "Vietnamization of the war" must be regulated to build the strength of South Viet Nam and not to placate left-wing pressures in the United States. Haste could impose a tragic burden on our small ally and jeopardize its survival.

□□□

GOVERNMENT'S COSTS—"If our nation's millionaires were taxed 100 per cent of their incomes each year, the revenue would run the federal government only 29 hours. If all the income from individuals making over $25,000 per year was taken as tax, it would run the government for less than three days. In fact, if all personal income over $10,000 were confiscated, it would run the government only 18.5 days. This might be one reason why the majority of Americans, at least those who are paying the bill, want to reduce the size, cost and control of federal government."—By Rep. Ed Foreman (R.-N.M.)

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Court Ruling Blocks Revocation of Carmichael's Citizenship

From the Allen-Goldsmith Report

A Supreme Court ruling is barring the way to revoking the U.S. citizenship of hate and violence-preaching black extremist Stokely Carmichael.

In May 1967, in *Beys Afroyim vs. Secretary Dean Rusk,* the tribunal, in a far-reaching decision written by Justice Hugo Black, explicitly declared invalid any congressional action aimed at cancelling U.S. citizenship. Black, oldest member of the court, proclaimed:

"We hold that the 14th Amendment was designed to and does protect every citizen of this nation against a congressional, forcible destruction of his citizenship, whatever his creed, race or color. Our holding does no more than give to this citizen that which is his own, a constitutional right to remain a citizen in a free country unless he voluntarily relinquishes that citizenship."

Congressional consideration of vigorously cracking down on Carmichael developed in July after he gave vent to a series of vituperative denunciations of

Despite Stokely Carmichael's seditious statements and activities, he remains legally an American citizen.

the U.S. while attending the so-called Pan-African Cultural Festival in pro-Soviet Algeria.

In the forefront of this proposed move was Rep. Paul Rogers (D.-Fla.), long a caustic critic of black revolutionists.

But after a careful exploration of the matter, Rogers found the way barred by the sweeping 1967 Supreme Court decree. This specifically excludes any congressional action to deprive Carmichael of his citizenship.

The one-time fire-breathing head of the Student Nonviolent Coordinating Committee (SNCC) and former top Black Panther official was born in Trinidad, West Indies, in June 1941, and was automatically naturalized when his father was made a citizen by a special act of Congress in 1953. Carmichael is now living in the African nation of Guinea.

In a published interview in Algiers, during the Pan-African Cultural Festival, the violence-spouting revolutionary declared himself "primarily an African and not an American," and stentoriously called for "armed struggle by blacks in America."

"It is for my black people," he fulminated, "that I am willing to kill or die."

Carmichael, closely associated with Kwame Nkrumah, deposed dictator of Ghana, talked at length about the need for "armed struggle in order to break out completely from the white culture of America." In the U.S. and elsewhere, he held, blacks must "strive for revolution not only to gain power but also to further the culture with which they live and form their values."

Throughout, Carmichael vigorously opposed any cooperation with whites, maintaining that the "black nationalist movement must grow stronger before allying with anyone. The only war for black progress is by armed struggle and revolution."

The 1967 Supreme Court decision arose out of a case in which a Polish immigrant who became naturalized left the U.S. and voted in a foreign election. When he applied for a U.S. passport, the State Department refused to grant it on the ground he lost his citizenship by violating the 1940 Nationality Act. It provides a U.S. citizen shall "lose" his citizenship if he votes "in a political election in a foreign state."

The State Department's ruling was upheld by lower courts, but reversed by the Supreme Court. Justice Black, in speaking for a majority of the tribunal, held that:

"Citizenship in this nation is a part of a cooperative affair. Its citizenry is the country and the country is its citizenry. The very nature of our free government makes it completely incongruous to have a rule of law under which a group of citizens temporarily in office [Congress] can deprive another group of citizens of their citizenship."

★ ★ ★

The story told by a defector from Premier Fidel Castro's Cuban intelligence service is provoking some second thoughts here in Washington about the 1965 uprising in the Dominican Republic.

As the story is now told, Lt. Col. Francisco Caamaño Deño is in Cuba and has been there since 1967. The colonel is the man who emerged as the rebel leader in the 1965 revolt.

The colonel had been missing, and the topic of considerable speculation, since he disappeared in 1967. At that time

Rep. Paul Rogers (D.-Fla.) has been a longtime leader in the drive to curb black nationalists.

he was a military attache at the Dominican Republican Embassy in London—a post to which he was assigned when leaders in both camps were assigned to foreign missions.

In the wake of the intervention by the United States in the 1965 revolt, critics here and abroad questioned the Johnson Administration's assessment of the uprising. Though the Administration quickly identified Communists active in the rebel cause, doubts were widely expressed as to the depth of Communist influence.

Now it is clear that the leader of the revolt has found his way to Cuba, apparently with the help of Cuban intelligence agents. According to the defector's account, the colonel made his way to Cuba by way of Paris and Prague.

Col. Caamaño's story was told by Orlando Castro Hidalgo, who defected to the United States earlier this year. Castro Hidalgo had been a Cuban intelligence official in Paris until that time.

He told U.S. authorities he had been a minor participant in the operation by which Col. Caamaño reached Cuba. However, he said, the jump was masterminded by top officials in Havana and by Armando López Orta, chief of Cuban intelligence operations in Paris.

According to the defector's story, the colonel arrived in Paris in late October 1967. He had shaved off his mustache and was wearing a toupee. He met with Cuban officials there and was eventually taken to Prague on a phony passport. From Prague he was able to go to Cuba.

Despite speculation, which has put the colonel in various Latin American nations, Castro Hidalgo (no relation to the Cuban premier) said he believes Caamaño has remained in Cuba ever since his arrival there.

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One-Sided Capital Gains Tax

House bill should at least be amended to allow taxpayers relief for effects of inflation

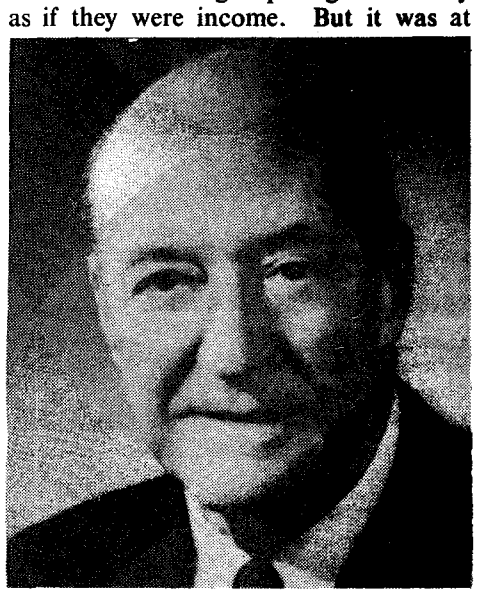
By HENRY HAZLITT

For 35 years the federal capital gains tax has been a hypocritical, cynical, heads-I-win-tails-you-lose impost.

It taxes capital gains as income without allowing a corresponding deduction from income of capital losses. It taxes capital gains that have no real existence, it taxes real capital losses as if they were gains and it punishes taxpayers for transferring their funds from old investments to new investments. The tax works great injustices. It retards new investment and economic growth.

In the new tax bill, the House decided that the old capital gains tax wasn't quite unjust enough and didn't discourage investment enough. So it voted to make the tax much worse and to increase its economic harmfulness.

Prior to 1933 Congress made the mistake of treating capital gains exactly as if they were income. But it was at



Although noted economist Henry Hazlitt has given up his syndicated column, he will continue to write occasional free lance articles.

least two-sided about it. If capital gains had to be added in full to regular income, capital losses were also deductible in full from regular income.

This system came to an end in the Great Depression. The crucial revelation that doomed it came on March 23, 1933, when the famous banker J. P. Morgan disclosed before a Senate committee that he had paid no income tax for the two preceding years. The reason was simply that his capital losses had exceeded his income in those years. But the very idea that J. P. Morgan could skip income tax for any reason at all so shocked the headline writers that Congress decided to change the law.

An honest change might have been to treat capital gains and losses as, say, the British government did until a few years ago. By and large it neither taxed capital gains nor allowed capital losses to be deducted against income. But our own government insisted on eating its cake and having it too. It in effect decided (with trivial qualifications) to keep taxing its citizens' net capital gains but to ignore their net capital losses.

This is how we got our present law. If securities or other capital assets show a net capital gain after sale and have been held for less than six months, the taxpayer is taxed on that capital gain at the same rates as if it were income added to his regular income. If he has suffered a net loss, however, on assets held for less than six months, he cannot deduct that loss from his regular income but only $1,000 of it in any one year.

(As an example, if he has registered a net short-term capital gain of $250,000 in any one year he must include that sum in his regular income and pay the high marginal tax rate on it—say 77 per cent—but if he has registered a net short-term capital loss of $250,000 in any year he can deduct only $1,000 of it from his regular income. So if he lives 250 years and has taxable income every year to deduct from, he can eventually get tax recognition of his loss.)

If a security or other capital asset has been held more than six months, however, the taxpayer is allowed to call this a "long-term" capital gain. He then need add only half of it to his regular income in figuring the tax on it. In addition, in any case, no taxpayer, no matter how high the marginal rate is on his regular income, need pay more than a 25 per cent tax on a long-term capital gain. On the other hand, if the taxpayer has a net long-term capital loss, no matter how big, he cannot deduct more than $1,000 of it in any one year against his regular income.

Now along comes the House Ways and Means Committee and finds that this system is not nearly one-sided enough against the taxpayer to suit it. So it proposes to "reform" the tax in three respects.

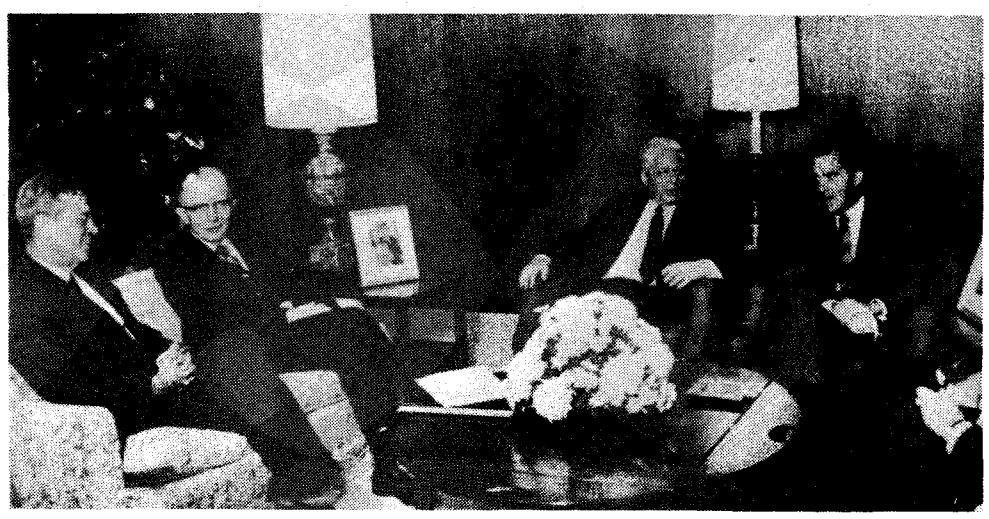
- First, it proposes that a capital asset must have been held for at least a year before any capital gain on it can be treated as a "long-term" gain taxable at a lower rate.

- Second, it proposes that while a long-term capital gain will be taxed as heretofore at no more than half the rate for regular income, the 25 per cent top limit will be abolished. (This will work out the same as before for all taxpayers whose tax rate on regular income would otherwise be 50 per cent or less, but taxpayers whose marginal rate on regular income might otherwise be 70 per cent, say, would pay a long-term capital tax of 35 per cent.)

- And third, the Ways and Means Committee tells us with a straight face that the present tax provisions discriminate in *favor* of capital losses as compared with capital gains and that this discrimination must be ended.

It argues that while only one-half of a long-term capital gain is subject to the

Chairman Wilbur Mills' House Ways and Means Committee has come up with some extremely controversial proposals on capital gains taxation.



President Nixon confers with some of his economic advisers at the Western White House in San Clemente, Calif. From left are Federal Reserve Board Chairman William McC. Martin, Council of Economic Advisers Chairman Paul McCracken, Treasury Secretary David Kennedy and the President.

same tax rate as if it were income, "when capital losses exceed capital gains, the excess loss is deductible dollar-for-dollar against ordinary income (up to a maximum of $1,000). As a result . . . taxpayers who are able to manage their investments to realize their gains and losses in different years are able to take advantage of the 50 per cent deduction for net long-term capital gains in one year, and yet obtain a full deduction for long-term losses in another year. . . . For the reasons stated above, your committee's bill provides that only 50 per cent of net long-term capital losses may be deducted from ordinary income."

It is impossible to believe that the House Ways and Means Committee was so mentally befuddled as to take its own argument seriously.

The arrangement it has written into the new bill will make the one-sidedness of the capital gains tax more flagrant than ever. Those who have capital losses would like nothing better than to have them treated with complete symmetry with capital gains. In that case the whole of net short-term capital losses (not just $1,000) would be deductible from ordinary income on the same year's tax, while half of the *entire* amount of a long-term capital loss would be deductible from ordinary income in the year in which the long-term capital loss was registered.

Of course there is not the slightest chance that Congress would ever grant this symmetrical treatment to capital losses. If capital gains were to be treated for tax purposes precisely as net income (as before 1933), the Treasury's revenue receipts would fluctuate violently, and nose dive in a depression year.

But if Congress is determined on taxing capital gains, there is one reform that the American taxpayer ought now to demand, loud and clear: that a taxpayer must be permitted to calculate his real gain (or loss) by deflating his nominal money gain against the increase in the official price index since the year in which he originally acquired the asset on which the gain is taxed.

If this simple deflating calculation was allowed, the federal government could no longer profiteer from its own inflation. It might even suddenly lose its enthusiasm for capital gains taxation.

(For example, a man who bought stock or real estate for $10,000 in 1939 and sold it for $26,400 today is asked under present law to pay a capital gains tax on $16,400. Actually, as the cost of living has risen 164 per cent in that period, he has achieved no real capital gain at all, because his $26,400 would buy no more than $10,000 bought in 1939.)

There are other reforms in the capital gains tax (assuming it should be continued) that would make it less unfair and harmful to the economy.

Here is one: Segregate capital gains and losses from ordinary income. Have them reported on a separate return. Tax these segregated net capital gains either at the same rates as ordinary income, or at nominal flat rates. If ordinary income tax rates are used, allow a reduction of, say, 1 percentage point of the capital gain for every month that the capital asset has been held. This would mean that such assets could be sold or exchanged with a constantly diminishing penalty and without any tax penalty at all after being held for 100 months (eight years and four months). Allow deduction of capital losses only against capital gains, with no deduction against income, but with an indefinite carryover against capital gains until they are absorbed.

Or as another alternative: Tax the segregated capital gains at ordinary income tax rates, but divide the amount subject to tax by the number of full years the asset had been held. Thus the gain on an asset held for two years or more would be divided by two, the gain on an asset held for three years or more would be divided by three, and so on, until the gain on an asset held for 10 years would be divided by 10, and the gain on an asset held for a longer period than that would not be taxed at all.

The privilege of listing capital gains on a separate return and applying regular income tax rates would reduce the average tax rate paid on capital gains. It would remove the pressure to try to turn all income into capital gains for income tax reduction. The diminishing and finally disappearing rates of capital gains taxation would once more free the flow of capital among investments (and yield greater revenues in the long run). And it would no longer be necessary for the taxpayer to keep acquisition price records for eternity.

But the chief reform would be to stop the taxation of the illusory capital gains brought about by the government's own inflation policies.

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Summer Journalism Interns Return to College

The Third Annual *Human Events* Journalism School drew to a close last week after eight weeks of industrious activity. The four reporter-interns spent their working hours tracking down political stories in and out of Washington, interviewing prominent political figures and visiting many offices and committee hearing rooms on Capitol Hill. It was a summer of learning as well as working.

The purpose of the *Human Events* summer program is to bring to Washington conservative college students thinking of entering the journalism profession after graduation and to give them a "primer course" in Washington political reporting. At the same time, through their own observations and conversation with Capitol "pros," they gain an inside look at the way the federal government *really* operates.

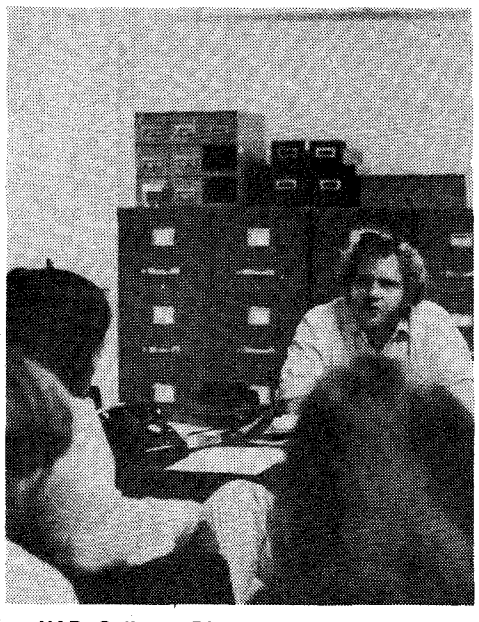
The idea for the journalism school came to fruition in the late 1950s, under the guidance of *Human Events* founder Frank Hanighen and publisher James Wick. Some of those who benefited from the program during this period now hold top positions with such publications as the Indianapolis *News*, the Richmond *Times-Dispatch*, *Human Events*, *Reader's Digest* and the San Francisco *Progress*. Another "graduate" is now a senior editor with the conservative Arlington House publishers.

Financial problems forced the temporary interruption of the program in 1962, but it was revived in 1967 by *Human Events* Publisher Bob Kephart, Editor Tom Winter and Capitol Hill Editor Allan Ryskind. "Graduates" since 1967 have gone on to become reporters and editors for the *New Guard* (the magazine of Young Americans for Freedom), *Square* magazine and the Toledo *Blade*, as well as *Human Events*, although most of the 11 interns who spent the summers of 1967-68 at *Human Events* are either still in college, in the armed services or just beginning their careers.

For this summer's program, as with previous years, *Human Events* selected conservative students, usually leaders in YAF, who will be returning to college this fall and will thus be able to put their Washington experience to immediate use writing for their campus newspapers. The 1969 Journalism School interns were:

• Laura Wertheimer, an organizer and leading activist of the Penn State YAF, who edits the state YAF newsletter as well as her campus conservative publication, *Tanstaafl*, an acronymic title taken from Milton Friedman's much-quoted observation, "There ain't no such thing as a free lunch."

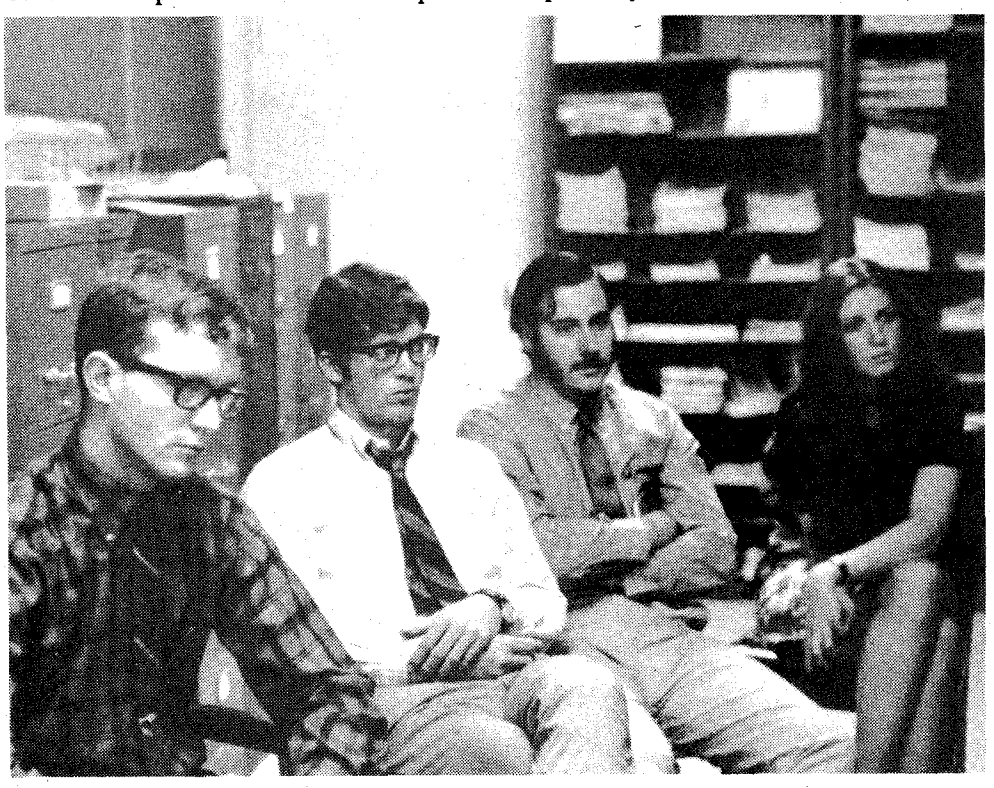
• James Bopp Jr., a senior at Indiana University, who will be editing an independent campus conservative newspaper, *The Advocate*, this coming school year.



YAF College Director Phillip Abbott Luce addresses Human Events summer journalism interns.

• Walter Conlon, a New Jersey native who now attends Loras College, a Catholic school in Dubuque, Iowa, contributes regularly to the *New Guard* and writes, "I spent seven and a half years in the seminary before deciding that my place in life is working for the conservative movement."

• William George, a political science major at New Jersey's Monmouth College, who has edited state and local conservative publications and done press work for several political candidates.



Human Events interns listen to one of their many guest speakers this summer. From left are: Walter Conlon, James Bopp, Bill George and Laura Wertheimer.

Supervisor for this summer's program was Harvey Hukari, who had been a participant in the 1968 journalism school. Hukari is a graduate student in communications at Stanford University, where he heads the very active local YAF chapter and helps publish a conservative newspaper called *Arena*. He also is a regular contributor to *Human Events* and the *New Guard*.

The four interns and their supervisor reported for work on June 16 and were given assignments almost immediately. Working closely with the *Human Events* staff, the interns contributed to such regular features as "This Week's News from Inside Washington," "Capitol Briefs" and "Legislative Boxscore," were given leads to check for possible longer articles and were encouraged to dig up stories of their own.

Among the subjects covered by the students in their reporting were: formation of the New Democratic Coalition, pay television, congressional support for New York Mayor John Lindsay, the Goldwater-Ginzburg libel trial, Medicare scandals and tax reform. In addition to actually writing articles, the interns provided invaluable research help to Capitol Hill Editor Allan Ryskind.

Perhaps the most ambitious reporting assignment given the interns was a trip by two of them to Edgartown, Mass., to investigate Sen. Edward Kennedy's mysterious auto accident on neighboring Chappaquiddick Island. Interns Bopp and Conlon arrived at the accident scene two days after the tragedy and remained there for two more days, prowling the area, questioning island natives and otherwise seeking to plug the huge gaps left by Kennedy's own account of the fateful accident.

Meanwhile, fellow students Wertheimer and George were in Washington conducting long and short-range telephone research on the developing Kennedy story. Taken together, the contributions of the four interns were of great help in putting together *Human Events'* continuing in-depth coverage of Teddy's accident.

All in all, the 1969 Journalism School students had a good track record for having their articles and research published in *Human Events*. Other stories developed by them will be appearing in the publication in the future, including a piece by Hukari on how conservative students can effectively combat radical-leftist activities on the campus.

At the same time this training program in first-hand political reporting was taking place, the summer interns were being "educated" in the ways and wiles of official—and unofficial—Washington. This facet of the program took the form of having guest "lecturers" of widely varied political colorations come to the *Human Events* offices to talk with the students and having the interns take group field trips to visit with other political personalities.

Each guest speaker would talk on his area of experience and then submit to questions from the *Human Events* reporter-interns. These sessions were off the record, and therefore more illuminating than anything the speaker might have said for publication.

Among those who talked with the Journalism School students were: Gen. Thomas Lane, author and syndicated columnist; Carol Bauman, a White House staff aide, and her husband, Robert, an officer with the American Conservative Union; noted liberal author Robert Sherrill; Phillip Abbott Luce, the ex-New Left activist, now a leader of the New Right; Clarence Mitchell, Capitol Hill lobbyist for the NAACP; Karl Hess, former chief speechwriter for Sen. Barry Goldwater; Brent Bozell, editor of the Catholic publication, *Triumph*; Lee Edwards, author and Washington public relations man; Brad Evans, an aide to Rep. Gene Snyder (R.-Ky.); John Lofton, a Republican Congressional Committee staff member; and students from Czechoslovakia and South Viet Nam.

On Capitol Hill, the interns visited the offices of and spoke with Senators Karl Mundt (R.-S.D.) and Paul Fannin (R.-Ariz.), and Representatives Martin McKneally (R.-N.Y.), Barry Goldwater Jr. (R.-Calif.), Donald (Buz) Lukens (R.-Ohio), John Ashbrook (R.-Ohio), Bill Brock (R.-Tenn.) and William Steiger (R.-Wis.). The students also attended open hearings before such important congressional committees as the House Foreign Affairs Committee, the Senate Permanent Investigating Committee (which was hearing testimony on student disorders), the House Public Works Committee, the Senate Internal Security Committee and Senate Judiciary Committee.

Moreover, the *Human Events* interns were encouraged to establish Capitol Hill contacts of their own, not necessarily for immediate articles but more for future sources of information. Accordingly, all the students met different congressional administrative assistants, talked with officials at various government agencies and one even managed to get a lunch date with industrious "consumer's lobbyist" Ralph Nader.

What did the students get out of all this? As their supervisor, Harvey Hukari, remarks, "While most of the students will carry away with them pleasant memories of an exciting summer, they will also take back to school the experience and skills which no college classroom could provide: the challenge of interviewing important political figures, the frustration of attempting to suck information out of Washington's massive bureaucracy and the delight of listening to speakers representing virtually all points of view in the conservative movement.

"The students learned first-hand the difficulties of running a weekly newspaper—particularly in Washington, D.C.—and the problems of trying to be a principled conservative congressman in the compromising atmosphere of the Nation's Capital. But above all, through researching stories, writing short news articles and conducting a variety of interviews, the students were able to develop and use the skills that journalism demands."

Not all the students' activities were directly related to *Human Events*, however. On August 21 they organized a large picket of the Russian Embassy to "celebrate" the Soviet invasion of Czechoslovakia, an incident well covered in the local press. During the final weeks they were all preparing for the Young Americans for Freedom annual convention, held this past weekend in St. Louis; Journalism School supervisor Hukari is a candidate for the YAF National Board and several of the students are leaders of various state delegations to the convention.

So, from Washington, the *Human Events* reporter-interns went to St. Louis for a few days and then, after a brief vacation at their respective homes, will return to their colleges. Some of their summer training and experience will be put to use as soon as school days begin once again, both in writing for campus publications and in actively combating the radical left, but the full benefit of the interns' apprenticeship at *Human Events* will not be known until they are graduated and go to work spreading conservatism full-time.

The long-range purpose of the *Human Events* Journalism School is to develop young reporters who will some day, hopefully, help balance the now-prevalent liberal bias of the press and other media. After the third straight successful year of the resurrected intern program, *Human Events* believes the prospects for achieving this balance are getting better all the time.

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Especially Soviet Variety

Put Not Thy Trust in Treaties

By RUSSELL KIRK

We don't need an ABM system, said various eminent gentlemen in full-page newspaper advertisements: instead, we need a disarmament treaty with Soviet Russia. We don't need nuclear armaments at all, say some of the same people: instead, we need universal subscription to the Nuclear Nonproliferation Treaty.

But who watches watchmen? Who inspects inspectors? How many states have kept international treaties when it ceased to suit their interest to do so, or when their rivals slumbered?

These questions are raised, and answered, in a new book called *The Treaty Trap: A History of the Performance of Political Treaties by the United States and European Nations* (Public Affairs Press). Its author is Laurence W. Beilenson, a man of law and former military liaison officer who spent eight years in this study of treaties.

Treaties have their uses, particularly pacts of alliance, Mr. Beilenson says readily enough. Yet in the long run mere paper agreements cannot substitute for strength and vigilance. The history of treaties is a history of breaches of trust. So it was in ancient Greece, and so it is while the United States, Soviet Russia and Communist China play the grim game of power.

Despite the patriotic doctrine, implicit or explicit in the typical high school history textbook, that America never does wrong in diplomacy, actually American representatives—from the first days of the Republic—have ignored solemn treaties whenever it suited the American national interest to act otherwise.

During the Revolutionary War, the United States solemnly promised its invaluable ally France that the American Confederation would never make a separate peace with Britain. Yet in November 1782 the American commissioners—John Adams, Benjamin Franklin, John Jay and Henry Laurens, all men of honor and courage—signed a separate pact of peace with the United Kingdom. Why? Because that suited American interests in 1782.

In 1846 the United States made a treaty with New Granada (now Colombia), by the terms of which New Granada guaranteed to Americans perpetual freedom to cross the Isthmus of Panama, and the United States guaranteed the perfect neutrality of the isthmus and the sovereignty of New Granada. But in 1903 the United States prevented Colombia from putting down an insurrection in Panama and in effect deprived Colombia of sovereignty over the isthmus. Why? Because circumstances had changed, and this action suited American interests in 1903.

In 1942 the United States and Britain solemnly allied themselves with Poland—or rather with the Polish government-in-exile. That treaty was shamefully broken, despite the strong contribution that the Poles had made in the war against Germany, only two years later, at Yalta. Why? Because President Franklin Roosevelt believed that American interests would be best served by giving Stalin what Stalin demanded.

Now if the United States has no enviable record as respecter of international agreements, why should we expect Soviet Russia, say, to be bound by a few lines on parchment, today?

The historic Yalta Conference in 1945 serves as an excellent example of the frailty of big-power diplomacy when overriding national interests get in the way of agreements. Churchill and FDR tried to do business with Stalin, but ended up giving him Eastern Europe on a silver platter.

In the past half-century, Russia has broken treaties with Germany, Britain, Estonia, Lithuania, Latvia, Poland, Iran, Italy, Czechoslovakia, China, Japan, Afghanistan, France, Hungary, Bulgaria, Rumania, Finland, Georgia—indeed, nearly every state with which Russia has had important relations. Some of these treaties were of alliance, others economic, others mutual pledges to keep the peace: all were ignored by the men in the Kremlin whenever Russian interests and Communist ideology might be advanced by breach of pledges.

One must conclude that Soviet Russia would comply with any disarmament agreement, or with the much-lauded nuclear nonproliferation multinational treaty (that India has prudently refused to sign), only so long as the United States did the actual disarming. As Mr. Beilenson points out, the Christian principles of most Western statesmen, however vestigial, exert some restraint upon impulses to dishonesty and breach of contract; but Marxist ideology imposes no such inhibitions upon diplomatic fraud.

We should be guided in such matters, says Mr. Beilenson, by an "assumptions test": "The United States should assume that if the treaty be made, the following probably will occur or be true:

"1. The other party or parties to the treaty will break it, and such probability will increase even more as the number of parties increases;

"2. The United States will rely on the treaty to some extent;

"3. The rulers of the other party or parties will have changed by the time breach becomes material;

"4. All such probabilities will increase correspondingly the longer the proposed treaty stays in existence by reason of its original term or extensions."

Those may not be idealistic phrases, but they are true phrases.

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MIRACLE OF THE WEEK: "The New York *Times* recently referred to the pro-Communist regime of Houari Boumedienne as 'the extreme leftist government of Algeria. . . .'"—From the Richmond *News Leader*

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Radical Gun Control Plan Seen Snagged

By ALDO BECKMAN

Top officials of the Justice Department are privately grimacing over the firearms report of the National Commission on the Causes and Prevention of Violence.

Although Atty. Gen. John Mitchell told a congressional crime committee that his department has no official reaction, the reaction in the halls of the Justice Department was spontaneous.

"They [the commission members] couldn't have done a greater disservice to people who would like to see a tough gun law," one top Justice official complained privately. "That report will polarize everyone, and the gun nuts in the country are really going to retrench now."

The commission report, although purportedly aimed at lessening the dangerous increase in the number of weapons being sold throughout the United States, will have just the opposite effect, according to Justice Department officials. More people are apt to go out and buy a gun, fearing that the nation is moving toward a policy of making guns more difficult to purchase, they speculated.

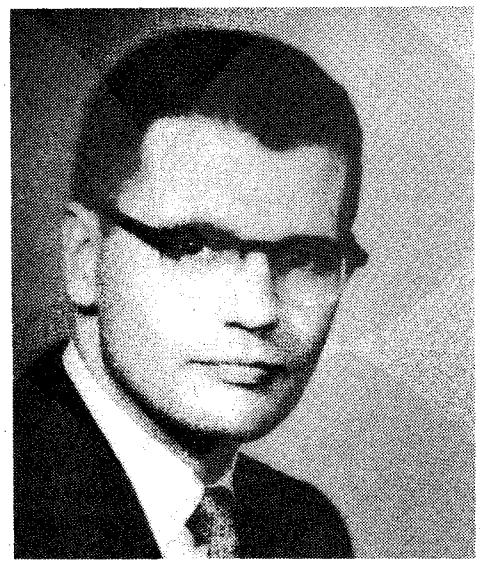
The report, noting the rapid rise in gun purchases over the last decade in this country, recommended forcing states to initiate "restrictive licensing" of handguns, and confiscation of all handguns except those owned by law enforcement officials and some businessmen in high crime areas.

Congressional leaders on Capitol Hill reacted in much the same way as the Justice Department officials. Although there were no definite plans in this Congress to try and bring up a gun bill, or to try and toughen last year's measure, which bans interstate shipment of long guns, the commission report made it certain that there will be no such action in the 91st Congress.

"If that gun bill was opened up now," one official commented, "there wouldn't be anything left in it after Congress got through amending it."

Rep. John Dingell (D.-Mich.), perhaps the most outspoken critic of any gun legislation, didn't mince words about the report.

"It's just plain idiotic," he said. "The best thing that can be said of the commission after this gun report is that they have demonstrated themselves to be a bunch of enthusiastic incompetents."



Rep. John Dingell (D.-Mich.) has some caustic words for the gun control commission report.

"I warned a long time ago that the ultimate goal of all gun legislation would be confiscation and the picking up of all privately owned firearms," Dingell continued. "Once they get handguns, they'll be looking for long guns. They'll strip us of everything but our false teeth, and they may even try to get them."

Ironically, the commission, headed by Dr. Milton Eisenhower, was warned several weeks before the release of the report that any recommendation to confiscate handguns would be "a total legislative impossibility." The warning came from Sen. Thomas Dodd (D.-Conn.), a staunch advocate of gun control legislation.

But the commission members, determined to strike hard at what they considered one of the principal reasons for the increase in violence, went ahead with their recommendation for confiscation.

"The commission is forgetting the real problem," said one congressional aide who would work closely with any gun control legislation. "The real problem is the criminal with a gun, and their recommendations just don't do anything about him."

"It's going to be awfully hard to convince a farmer in the Middle West that he will be safer or that the bank in town will be more secure if he has his gun confiscated," the aide continued. "It just doesn't make any sense."

Opponents of even a mild gun law that would force registration of weapons have long argued that it would be but a first step that would lead to eventual confiscation.

And in the eyes of hunters, gun collectors, and the National Rifle Association, the commission report seems to confirm their most serious suspicions.

(1969, Chicago *Tribune*-N.Y.*News* Syndicate)

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The Law Benders

By JENKIN LLOYD JONES

The rhubarbs arising over President Nixon's effort to name Judge Clement Haynsworth Jr. to the U.S. Supreme Court illustrate what's wrong with the court.

We have come to look upon its members not as interpreters of the law, but as law benders. And whether we think a nominee will bend the law toward our prejudices or away from them governs our reaction toward the nomination.

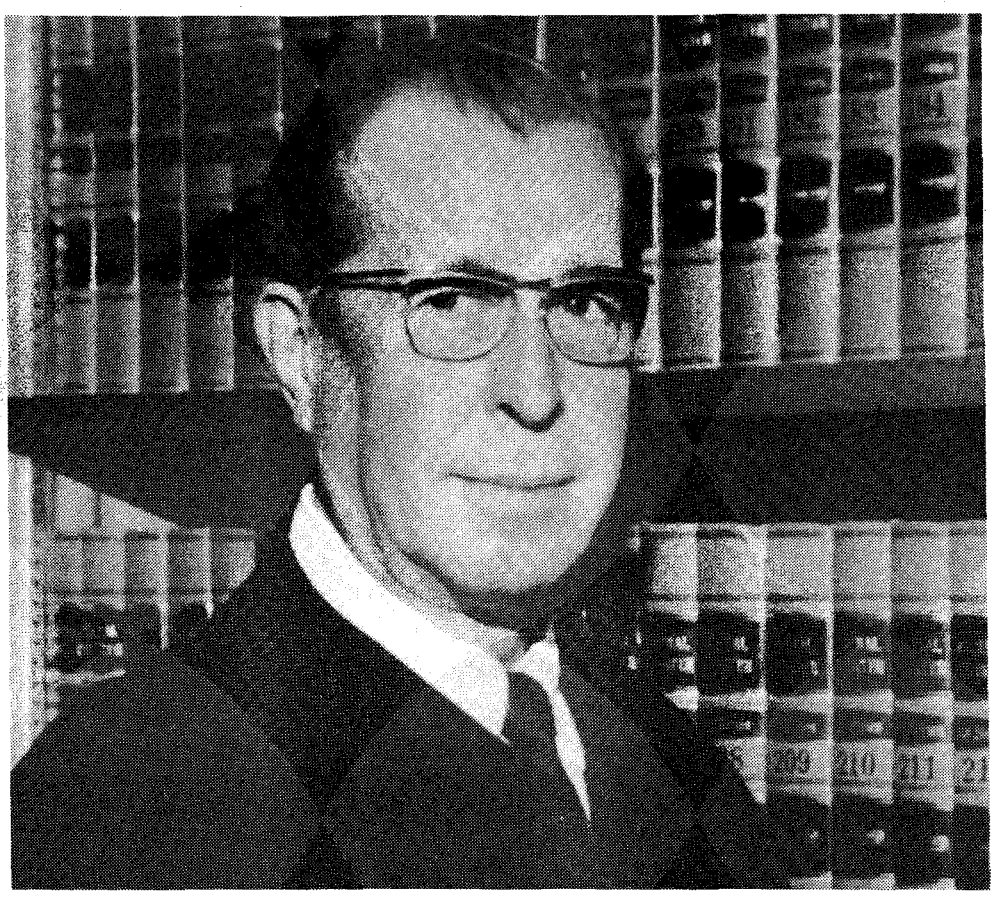
The court, of course, has always been made up of human beings, and human beings are composites of experience, temperament and points of view. No man is totally judicious. In the 166 years since *Marbury vs. Madison*, the case in which John Marshall made the court the official interpreter of the Constitution, lawyers have always tried to guess the proclivities of the august justices.

But no Supreme Court in American history ever departed so far from the narrow business of interpretation and ventured so boldly into the deeper waters of manufacturing law as did the Warren Court.

The Warren Court became the darling of the liberals because, regardless of what law or precedent might say, it generally imposed a "liberal" solution by quoting the 1st, 5th or 14th Amendments. It appeared to be the attitude of a majority of the court that social justice was its function and that where law or old interpretations of the law fell short of social justice, the court should find a remedy. After all, didn't the preamble of the Constitution say that government should "promote the general welfare"?

Whether the Warren Court advanced the general welfare naturally depended on one's beliefs. The court, for example, struck down practically all legislation imposing restrictions on Communists. This attitude toward Communists, treating them as though they were no more dangerous than members of an odd-ball religious sect, gave conservatives apoplexy, but many liberals hailed it as a magna carta for freedom of conscience and a final interment of "McCarthyism."

Law enforcement became manifestly more difficult after the *Mallory, Miranda* and *Escobedo* decisions. Conservatives joined with police and prosecutors in pointing to the rocketing crime rates and the diminishing percentage of crimes solved by conviction as evidence that the court had hamstrung justice. Many liberals, on the other hand, defended the court's novel conclusions on the grounds that it was trying to correct sloppy or brutal police methods in the interest of justice for all.



Judge Clement Haynsworth is already coming under fire from the Liberal Establishment for his relatively conservative judicial views.

But the essential fact was that the Warren Court gradually paid less and less attention to what the law said and more and more to what it believed the law really meant, or what the "true intent" of Congress must have been.

If we are going to have this kind of a court, it is quite natural that the background attitudes and biases of justices should assume more importance than ever before. There is a lot of difference between law interpreting and law bending.

Thus, on August 20, when AFL-CIO President George Meany announced that he would vigorously oppose Judge Haynsworth's confirmation, he was probably not discounting the judge's legal ability or his honesty. He was merely expressing a fear that Judge Haynsworth's biases might not conform to the interests of the AFL-CIO.

Using the same logic, Mr. Meany had vigorously applauded the 1962 appointment to the court of Arthur Goldberg, who had served as general counsel of Meany's outfit.

Judges who are less judges than activists, who are concerned less with the law than with means of bringing about what they consider desirable end results, are naturally a threat to the system of checks and balances.

By novel interpretations of the federal Constitution they amend, in effect, the Constitution itself, and thus invade this ancient right of the state legislatures. By interpreting the intent of lawmakers far beyond the law's wording, they really write new law, and thus move into the field of legislation.

It is, therefore, high time that America move away from a court of whose members quarreling Americans can say, "This is my man but this other man is your man."

Such a court, however well-intentioned, is out of the law business. And by reason of life tenure it is in danger of exhibiting increasing arrogance, since it is beyond the reach of angry public opinion.

There is a cynical lawyers' aphorism that "the law is what the Supreme Court says it is." Instead, the law should be what the law says.

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Former Chief Justice Earl Warren's court often disregarded procedural restraints, charges columnist Jones.

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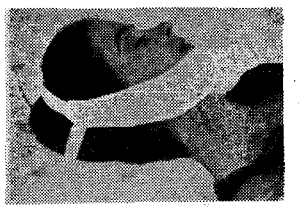

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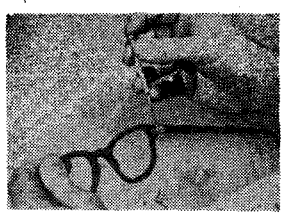

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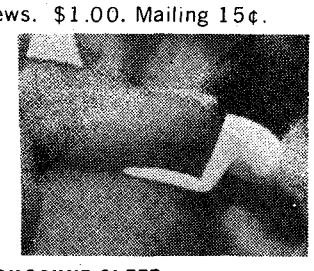

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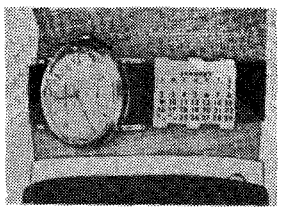

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Should U.S. Cities Switch to Land Tax?

By WALTER J. CONLON

In the past few decades just about the only response to the pressing challenges of slum clearance and urban development has been an ever-increasing cry for more billions in futile urban renewal subsidies, "model cities" grants and other federal handouts. But, says a blue ribbon panel of liberal and conservative urbanists in the March issue of *Nation's Cities,* these problems could well be solved without spending a penny of federal money: by revising the local property tax load. The idea is well worth considering.

According to this panel, which included New York Republican mayoral nominee John Marchi, the real causes of urban blight are our archaic system of property taxes and the inflationary land speculation which it promotes. Once these causes have been recognized, the panel concludes, it becomes obvious that a thoroughgoing reform of our property tax system would be an infinitely more effective—not to mention infinitely less expensive—alternative to multi-billion-dollar urban renewal boondoggling.

The present urban redevelopment program has met failure, the panel reports, because it does not take into account our regressive system of property taxation, a system which seems preternaturally programmed to encourage every urban ill.

If the property tax—which brings in 87 per cent of our cities' revenue—were wisely applied, it could be one of the fairest of all taxes. Unfortunately, as the panel points out, it is most often at present a "weird combination of overtaxation and undertaxation, an incentive tax for what we don't want and a disincentive tax for what we do want. It harnesses the profit motive backward instead of forward to both urban renewal and urban development. Too often it makes it more profitable to misuse and under use land than to use it wisely and fully, more profitable to let buildings decay than to improve them or replace them."

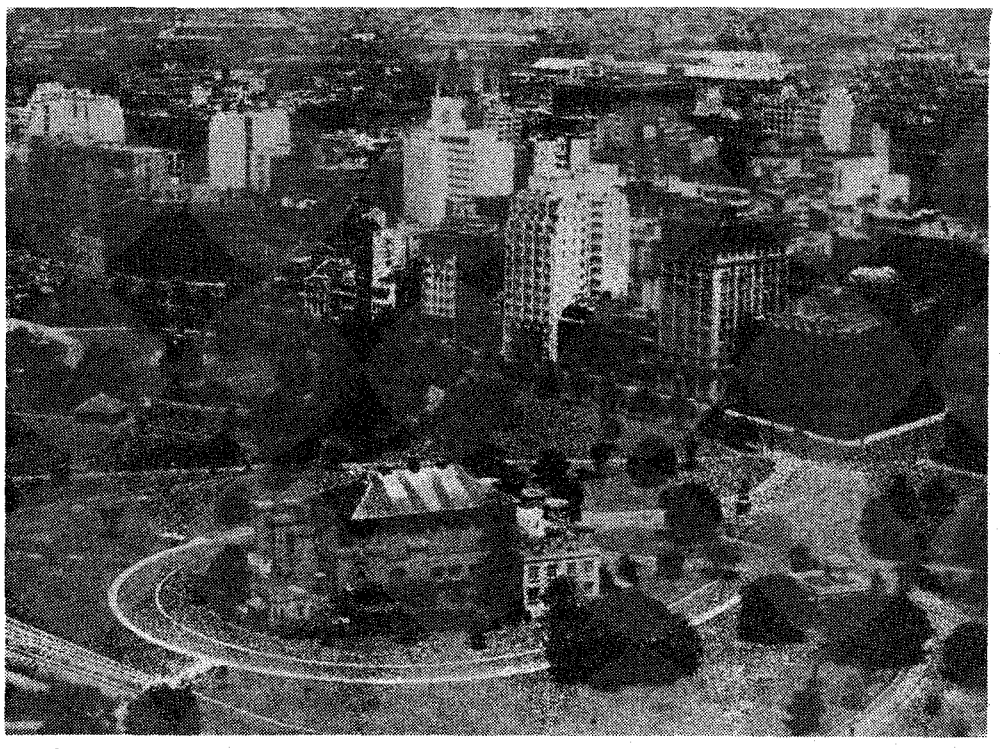
The present property tax is really two taxes. The first is a tax on improvements—a tax on whatever is built on the land. The second is a tax on land, a tax on what the property would be worth if the owners had never done anything or spent anything to improve it.

The effects of these two taxes, the panel points out, are completely contradictory; it would be hard, in fact, to imagine two taxes with such conflicting consequences for urban development. The effect of one is almost totally negative; the effect of the other is almost totally positive.

Clearly, the tax on improvements is deleterious. It should be obvious that heavy taxes on improvements are bound to discourage improvement. On the other hand, the panel reports, "heavy taxes on the location cannot discourage or inhibit improvements; on the contrary, heavy taxes on location could put effective pressure on the owners to put their sites to better use so as to bring in enough income to earn a good profit after paying the heavier tax."

The above statement is so self-evident that one would think that every city would rush to shift its taxes from improvements to location. But, strangely enough, just the opposite is the case: Practically every city in the United States collects two or three times as much money from taxes on improvement as from taxes on land.

The effect of high improvement taxes has been disastrous. A 3 per cent annual tax on improvements may not sound like much, but it is in many cases the practical equivalent of a 75 per cent income tax on the building's earnings, a 52 per cent sales tax on building materials, or a 25 per cent increase in the tenants' rent! It can hardly be a surprise, then, that New York City's 4-per-cent-of-true-value tax on new improvements has stopped almost all new private construction in the city (save the endless construction of ultra-high-rent office and apartment buildings). According to former Mayor John R. Collins of Boston, a member of the panel, if the improvement tax would approach 6.7 per cent, all construction whatsoever would come to a halt.



Sydney, Australia, is prosperous and well-developed, in part because the city uses the land value system of taxation. Cities in South Africa and New Zealand are also employing the concept.

On the other hand, the undertaxation of land has provided a hidden subsidy to nonproductive land speculation which, in turn, has proved to be a major cause of urban sprawl and improper land use. By driving up the price of inner city land, this speculation has contributed directly to the flight of industry away from urban areas. Let us see how this works out in practice.

First of all, land speculation is nonproductive: It does not in any way add to the total wealth produced. Unlike other businessmen who must produce a product or a service to earn their bread, the land speculator need do nothing; even if he uses his lots to grow crabgrass and thistles, the market value of his land, barring a depression, will steadily grow. This is true because the value of land, unlike manufactured commodities, comes solely from the increase of population and investment in the area in which the land is situated.

Secondly, land speculation drives up the cost of construction by inflating the cost of sites. Since land is a fixed quantity resource, diminishing the supply even with only a constant demand, will raise the cost. Land prices today are exorbitant—around New York the average lot in single family locations costs $16,850—and we can be assured that under the present property tax system they will get worse.

It is for this reason that conventional urban renewal has been such a colossal failure. The trouble with these subsidy programs, the panel contends, is that they merely accelerate a land price inflation that enriches slum land owners without any visible effect on the impoverished slum dwellers for whom the subsidy was intended. The result is "a futile spiral in which multi-billion-dollar urban renewal subsidies are being capitalized into higher urban renewal land costs calling for bigger urban renewal subsidies that will in turn be capitalized into higher land costs requiring still bigger subsidies."

A heavy tax on land value is the obvious economic tool to discourage land speculation. Since the tax would be high regardless of improvement, it would then be unprofitable to use land for less than its full productive value.

For this reason, the panel contends, a location tax would be a much fairer tax than the improvement tax. Whereas a levy on improvements taxes away the produce of the owner's industry, a tax on land value would only affect a value that is uniquely created by the community; for the value of bare land rises and (occasionally) falls regardless of what the landholder does to improve it.

To test the possible effects of a total shift of the property tax assessment from improvements to land value, the Urban Land Institute, in cooperation with the city tax commissioner, conducted a four-year survey in Milwaukee, Wis. If such a shift were made, in conjunction with a land tax rate increase to make up for the loss in improvement tax revenue, the institute projected the following results:

(1) The tax take on poorly used land, such as parking lots, gas stations, etc., would roughly triple, whereas the owners of well-built homes, office buildings and apartment buildings would experience tax cuts from 40 to 75 per cent.

(2) The lack of a tax on new construction would raise the value of underused land in favorable locations, and the heavy tax burden on this unprofitably used land would put pressure on its owner to sell out to interested developers—or to develop the property himself.

(3) The advantageous tax structure would not only end the need for an urban renewal subsidy, it could create such a building boom that a precipitous shift could invite chaos. Therefore, it might be advisable to shift to land value taxation over a period of several years.

(4) With the profit taken out of land speculation, urban sprawl would decrease substantially. Businesses would slow down their rush to the suburbs and beyond and people who prefer low-density living could afford to live approximately half as far from the center city as they do now. Since people would not have to travel as far to and from work, traffic problems would lessen and mass transit would be more practical.

(5) Slum problems would taper off considerably, because blue-collar employers could afford to locate closer to low-income areas.

(6) Assessment would become much easier, because tax assessors would be relieved of the heavy burden of assessing each improvement. Collection would also be simpler, because a land tax is well-nigh impossible to evade.

(7) The shift should be popular with voters, because owner-occupied houses would on the whole experience a substantial tax break under the new system. Many apartment dwellers would also benefit since the taxes on well-built, well-maintained apartment buildings would go down—by substantial amounts in many cases.

The idea of shifting property taxes from improvements to land value is hardly a new idea. It is already in effect in Canberra, Australia's capital and Sydney, the country's largest city. With insignificant exceptions, all the municipalities in the Australian state of New South Wales use the site value system of local taxation. Other major world cities which have adopted the system are Johannesburg, South Africa, and Wellington, New Zealand. In the United States, the tax rate for land is higher than the tax rate for improvements in Pittsburgh and Scranton, Pa.

The residents of cities where the land value tax system has been put into effect have been practically unanimous in its support. The Johannesburg Chamber of Commerce has stated that the city's tax structure "has had a good deal to do with the development of Johannesburg into the premier industrial and commercial city of the southern African subcontinent." Roy Hendy, then Sydney town clerk, reported on April 9, 1957, that the city's 40-year experience with land value taxation was so favorable that there has never been a serious proposal to return to the taxation of improvements.

The idea is also not new to conservative thinking; back in 1960 *Human Events* ran articles by Frank Chodorov and Raymond Moley advocating the land value tax. The proposal obviously did not catch on, but recently there have been signs the system is picking up adherents from across the political spectrum. One well-known backer is HUD Secretary George Romney, who sees in it a constructive alternative to conventional urban renewal futility.

At a time when the public is greatly interested in tax reform and appears tired of massive federal spending programs, yet is constantly bombarded with talk about the "urban crisis," land value taxation could well have potent political appeal. Certainly it is an idea that conservative politicians and laymen should seriously consider.

Mr. Conlon, a senior at Loras College, Dubuque, Iowa, was a journalism intern at Human Events *this summer.*

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Harassment of military recruiters has seriously set back the Defense Department's need for new officers. Such interference has already caused ROTC to be dropped from many Ivy League colleges.

Radical Demonstrations Hurt Marine Recruiting

By HENRY J. TAYLOR

Behind closed doors Marine Commandant Gen. Leonard F. Chapman Jr. has revealed to the Senate Armed Services Committee the outrageous effect on his great corps of campus demonstrators and certain spineless university officials.

While our nation's sons fight and die in the stinking jungles of Viet Nam and guard America's interests elsewhere, this home element—safe and snug here—is forcing Marine officer recruitment to the wall.

Never has America's security suffered so much, and so shamefully, from so few.

Gen. Chapman, a full-fledged, battle-scarred Marine hero, stated that the corps ordinarily needs 4,000 new second lieutenants each year. The Naval Academy at Annapolis supplies only about 100. An additional 300 come from the Reserve Officers Training Corps (ROTC) programs still existing in 353 colleges and universities. This means 3,600 new Marine second lieutenants must be recruited—largely on the campuses—each year.

Said the commandant: "Some college officials continually postpone permission for our recruiting team to appear until it is too late to get on those campuses. Others permit Marine recruiters to appear but relegate them to out-of-the-way spots as if their mission were a disgrace. They cannot conduct interviews effectively; they are often systematically surrounded by organized hecklers among dissident students who prevent them even from talking to students who could serve our country."

The 9th Marine Regiment, for example, just came home—the first Marine unit to depart from Viet Nam in the current troop withdrawals. It had been in combat there since 1965. Yet at the front some of its companies faced the enemy at far below their stipulated 210-man strength. And, even so, they were supported by draining the Second Division (Camp Lejeune, N.C.) and at the expense of the essential buildup of the Fifth Marine Division at Camp Pendleton, Calif. But does the public know it?

In their Viet Nam fighting it was not unusual to have second lieutenants commanding companies that are supposed to be commanded by captains; it was not unusual to have sergeants instead of lieutenants—lieutenants that simply could not be recruited.

The First and Third Marine Divisions alone represent twice what the crack corps' largest commitment was in the Korean War. The Third Marine Amphibious Force alone is a 57,000-man unit that includes 9,000 Marine airmen. Yet, behind the scenes, our great elite corps as a whole is so thinned out that few of the 18 Marine infantry battalions are up to authorized wartime strength. This is the way it has been and continues to be, facing the vicious enemy.

As one result, although the Marine Corps recruits more than 85 per cent of all new second lieutenants from the campuses, the corps has had to abandon its requirement for a college degree and try to make up the loss any way it can. Meanwhile, what could be more obvious than the danger to our troops' safety and their combat efficiency through downgrading the calibre of their junior officers? Aren't our fighting men entitled to the best officers this great nation can supply?

The college ROTC program was started 53 years ago. Today the U.S. Army alone gains nearly 17,000 new second lieutenants a year from this program, compared with only 750 graduated from our professional military academy at West Point.

Moreover—and anti-ROTC demonstrators should know it and university officials should know it—the disrupters are lying through their teeth when they charge "militarism," "militaristic indoctrination," etc.

The very purpose of the original establishment of the ROTC was anti-militaristic—an effort to create citizen officers who come from, and return to, the civilian population as opposed to a completely professional officers' corps. It was founded to avoid even the potential of what was known in World War I as "Prussianism."

Accordingly, our ROTC-trained youth perform a vital function in America's security and at the same time keep us from relying on any caste.

Yet, largely thanks to the systematic anti-ROTC demonstrations, and to the shame of spineless university officials, Gen. Chapman stated that his Marine Corps was short 800 new second lieutenants when the universities' June semester closed.

Nothing, absolutely nothing, could be more pleasing to the Kremlin men singing their songs of treachery and betrayal.

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Lest We Forget

By SEN. GEORGE MURPHY (R.-Calif.)

The recent release of three American prisoners of war by the Communist government of North Viet Nam brings to nine the total number of our fighting men set free by Hanoi to date.

In our exuberance over the release of these prisoners, I urge that we do not forget the remaining 1,325 Americans who are either missing in action or being held captive by North Viet Nam.

Secretary of Defense Melvin Laird has taken great pains both to bring the full story of the plight of these men before the American public, and to make contact with many of their families.

Their plight was dramatically portrayed to me recently by the wife of an Air Force major who was shot down over North Viet Nam on Nov. 11, 1966. She has two daughters, aged 10 and 9. They write to their father every week. But they do not know if he receives their letters. They have not heard from him. They do not know if he is ill or well, dead or alive.

"That is the worst thing," she told me. "The not knowing."

If North Viet Nam wants to convince us, and the world, that it is treating these prisoners humanely, there is a simple route open. It is not through the propaganda employed by the American pacifists who helped effect the release of the three latest prisoners. No, the route is to cooperate with the Nixon Administration's efforts to promote mutual observance of the Geneva Convention, which North Viet Nam signed in 1957.

That Communist regime has flagrantly violated the provisions of the Convention. If the number of letters and cards authorized under the Convention had been permitted, the prisoners' families would have received 18,000 pieces of correspondence. Actually, they have received less than 600.

Also, our government has repeatedly asked for a list of the names of prisoners. We have requested impartial Red Cross inspection of prisoner of war facilities and called for proper treatment of these prisoners. And we have asked for the immediate release of sick and wounded prisoners.

Under this same Convention, South Viet Nam recently identified 60 sick and injured North Vietnamese and Viet Cong prisoners and offered to return them.

What is Hanoi's response to all this?

Silence! They will not even recognize their own.

Even a first step, releasing our sick and wounded, would be a sign, however small, of a willingness to negotiate.

Today, North Viet Nam has more than 225 U.S. prisoners who have been held captive longer than any American serviceman in World War II.

This causes a continuing nightmare for the families of these prisoners and those reported missing in action. This is what haunts their days and nights. This "not knowing."

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It's Roundup Time Again for Educational Jargon

By DR. MAX RAFFERTY, California Superintendent of Public Instruction

"Pedagese."

That's the affectionate nickname for education's professional jargon, and I love it deeply and devotedly. Many's the time it's furnished me wildly surrealistic columns which read quite differently from my usually staid and pedestrian prose. Often, too, my remarks on the subject have evoked roars of anguish and snorts of fury from some of my fellow educators who apparently sit up at night gestating this Alice-in-Wonderland verbiage, and I treasure their comments even though I can't follow many of their semantic leaps and cartwheels.

Some years ago, I stirred up a modest storm by quoting a definition written by a West Coast educator:

"READING: An audiovisual verbal processing skill of symbolic reasoning, sustained by the interrfacilities of an intricate hierarchy of substrata factors."

Now, at the time I thought this was a classic example of pedagese, and the passage of the years has only served to confirm my reverent admiration. The definition has everything: big words, fuzzy words, mysterious words, pseudoscientific words. Moreover, I can't figure out what the devil it means, nobody I've shown it to can figure it out, and I strongly suspect the author couldn't figure it out either. In short, it was perfect pedagese, and I paid tribute to it as well as I was able, in standard English, that is.

But to hear some of my colleagues react to my gentle raillery, you would have thought I had stabbed their mothers. I was accused of (a) unprofessionalism; (b) character assassination; (c) gross ignorance; and (d) green-eyed jealousy of anyone gifted enough to dream up this kind of gobbledygook.

I had to confess that my critics were probably right, and I'm going to compound my abasement right now by admitting I feel the same way about the 1969 crop of semantic corn, most of which has grown up around the thorny topic of ghetto education.

For instance, I'm informed that words like "poverty," "ignorance," "segregation" and just plain old "bad luck" can no longer be used to describe the problem of the slum dweller. The "in" word now is "disadvantageness," and it's such a gem of what even our Victorian ancestors called a bastard etymology that I suspect its parents not only didn't know each other at all, but were in fact ill-met by moonlight while wearing masks.

Along the same line, there is the currently popular phrase "developmental deprivation," which is less effective precisely to the extent that it's a little more understandable, and which must therefore yield the palm to "cumulative deficit phenomenon," a triple-headed monster of a term which makes the fabled chimaera of Greek legend look like Lassie by comparison.

And so it goes. Gabble like this constitutes the temple chants and the incense fumes of my profession. It gives us educators a warm and comfy feeling of superiority over the rest of you grubby Philistines, and it simultaneously confers upon us an aura of sheer status based upon our ability to obfuscate you with our terminology. We're better than you are because you can't understand what we're saying.

There's just one thing that bothers me a little. The ability to communicate ideas has always been the acid test of the good teacher. He may be a brilliant scholar, a formidable researcher and a greater lover of children than Santa Claus, but a teacher who can't communicate is no more a real teacher than I am St. Francis of Assisi. And if he and his peers are continually busy dreaming up abstruse abracadabra so esoteric as to be virtually unintelligible, where does this leave him as a teacher?

I was put neatly in my place the other day, however, when I came across the word "crescive" in an educational journal describing a certain instructional problem. Stirred to my depths, I took pen in hand and wrote the author: "Doesn't 'crescive' mean the same as 'increasing'? And if so, why not say so?"

I should have known better.

In due time, the answer came back, weighted with pity for my crassness.

"Utilized in the context of the paper," it said icily, "'crescive' is used synonymously with 'accreted.'"

Now why hadn't I thought of that?

(Copyright 1969 Los Angeles *Times*)

Gary Firemen Abdicate Duty

From the Dallas *Morning News*

A recent incident in Gary, Ind., has demonstrated beyond the power of words what can happen when public employes strike against the public's safety.

The Gary Fire Fighters union walked off the job on August 5 and refused to fight a million-dollar blaze in a local lumberyard. But this abdication of duty in the face of an emergency was not the worst of the Gary firemen's activities that day.

When the city attempted to mobilize volunteers and firemen from suburbs and nearby towns, Gary strikers blocked the streets. They then attacked police and those trying to put out the fire.

The strikers ignored a court order against the strike—an event that is becoming commonplace in the growing number of illegal public employe strikes—and four of their leaders were cited for contempt by the court.

But the court's citation was as nothing compared with the contempt of the public. These men have managed to forfeit public support for themselves, for their wage demands and for the cause of dissatisfied public employes everywhere.

They have committed a grave offense against their fellow citizens that no grievance can justify or excuse. They have outraged their city and the traditions of their profession.

One whose support they have lost is Gary's Mayor Richard Hatcher, who had advocated that they be given an annual wage boost of $1,000, instead of the $600 offered by the City Council. After the strikers' riot against those attempting to do their job for them, the mayor announced that he will no longer ask for more than the council offer.

The mayor's disgust is understandable. As if it were not enough that he is a Negro mayor struggling with the problems of a racially divided city, he must now turn from these to defend the public from the vicious behavior of the city's own employes.

It may be hoped that the matter will not end with a token fine and a useless warning to the perpetrators of the firemen's riot.

Even Gary's liberal Mayor Richard Hatcher is upset with the striking firemen.

The firemen who took an active part in the violence hardly deserve to be kept in the city's employment, let alone at an increased salary. The city of Gary may be left with less than a full complement of firefighters, but a community that tries to rely on fire protection from the sort of individuals who rioted is worse off than one with no fire department at all.

Those who have advocated the establishment of public employe unions have always assured citizens that the public safety would never suffer from such organizations. Not only these pledges, but local and state laws have been broken again and again in recent months by a series of damaging and indefensible public-employe strikes. The Gary firemen's riot is not the first, just the worst example.

The cause of better pay for public employes is one that is supported by millions of Americans, but no just cause or good purpose can be served by such tactics. It is time to put a stop to them.

Petty Criticism

From the Milwaukee *Sentinel*

The criticism of President Nixon's Sunday worship services in the White House by the Rev. Reinhold Niebuhr seems rather petty.

Writing in *Christianity and Crisis,* Niebuhr asserts that the White House services have won Mr. Nixon seeming religious approval for his policies and that they appear to defy the constitutional mandate for separation of church and state.

The 77-year-old retired Union Theological seminary professor said that the President had established a "tamed religion" that "seems even more extravagantly appreciative of official policy than any historic establishment feared by our Founding Fathers."

"It is wonderful what a simple White House invitation will do to dull the critical faculties," Niebuhr said.

But if anyone is putting politics into the pulpit and the pulpit into politics, it is the Niebuhr types who seem to insist that religion should be kept absolutely out of public life—unless it agrees with what they deem right and proper.

As for a White House invitation dulling one's critical faculties, this insults the integrity of every minister, priest and rabbi. It seems extremely doubtful that any man trained in a religion would have his beliefs changed or his soul turned in the slightest simply out of White House awe.

We see nothing to fear from Sunday services in the White House, either in violating the separation of church and state or in corrupting the critical faculties of theologians.

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SPOTLIGHT ON CONGRESS

Post Office Giveaway

By REP. H. R. GROSS (R.-Iowa)

The General Accounting Office, one of the very few cost-conscious agencies of our huge federal government, continues to perform its function in admirable fashion.

In one of its most recent reports, the GAO unearthed the story that 14 foreign nations, all of them richly endowed by our foreign giveaway programs, owe the U.S. Post Office Department (and, through it, several U.S. airlines) the grand total of $12.7 million for mail services.

The GAO also reports that, although some of these debts go back to the early 1950s, our timorous State Department bureaucrats have been less than eager to collect them.

They have not even charged interest on this debt, which would exceed a half-million dollars annually.

All but one of these 14 countries are in Latin America and one of them alone, Castro's Cuba, owes us $2.9 million. The countries, in addition to Cuba, are Bolivia, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Haiti (bastion of the ruthless dictator Duvalier), Mexico, Panama, Paraguay, Peru (whose government is addicted to hijacking our fishing boats), the Philippines, Uruguay and Venezuela.

The Foreign Assistance Act provides that nations so indebted shall be cut off from U.S. foreign aid, yet this member of Congress has seen no signs whatever of any such action.

To add insult to injury, the Post Office Department stupidly pays our postal debts to certain nations in dollars rather than using the mountains of local currency we are stuck with in those lands. This inane practice, of course, adversely affects our balance-of-payments position and is contrary to the stated policy of the government.

It is undoubtedly fortunate that the Washington bureaucrats do not have more of a stranglehold than they do on private enterprise in this country. If you or I tried to run a business in this fashion we would soon be busted.

At the very least, President Nixon should act at once to remove these 14 nations from our handout list until every last cent owed is paid.

Manpower Training

By REP. CLARENCE BROWN (R.-Ohio)

Work or job training if work is unavailable must also be accepted by everyone accepting benefits under the proposed Nixon welfare program. The only exceptions would be those unable to work and mothers of very young pre-school children. But day-care centers would be set up to give the mothers of pre-school children the opportunity to work if they so desire. A comprehensive new Manpower Training proposal completely overhauling the nation's manpower training services will be sent to the Congress after its summer recess. The President advises that it will pull together the maze of over 30 job training programs that now exist and equalize standards of eligibility. It would provide "flexible" funding so that federal money would follow the demands of labor and industry and offer training in those programs that people most want and need. States and local entities would gradually take over administration of the new Manpower Training program. Thus, for the first time, a major established federal program would be turned over to the states and local governments. This "New Federalism" portion of the President's welfare proposal recognizes that states and localities are in a position to do the job better than the federal bureaucracy in Washington.

'Poverty War' Office Backs Grape Boycott

NATIONAL RIGHT TO WORK COMMITTEE

An OEO-backed Community Action office in Elgin, Ill.,—supported by the federal taxpayers—is promoting the grape boycott aimed at forcing California farm workers to unionize against their wishes. An OEO window display urges passers-by to "Boycott Grapes," framing this admonition in a trellis of grape vines.

Legislative Boxscore

The following is a round-up of items of particular interest to Human Events readers:

• President Nixon's wide-ranging **welfare reform proposals** are expected to be debated long and hard before any votes are taken, probably not until well into fall. The $4-billion program, incorporating a new family benefit payment, was met with initial cautious praise in Congress, although many members balked at the hefty price tag. White House aides are now in the process of writing the proposals into bill form and attempting to assuage various opposition blocs.

• The House has passed what has been called **"the most comprehensive tax reform bill in history"** (HR 13270) and the Senate is expected to begin hearings on the matter following the end-of-August recess. The bill would reduce tax rates for low-income wage earners (with some 5.2 million of them removed from the tax rolls), single persons, middle-income taxpayers and heads of households; a 50 per cent maximum tax was placed on earned income. On the other hand, increased revenues are expected from altered tax structures for municipal bonds, capital gains, pension funds, charitable contributions, oil depletion allowances, farm losses and other items. If the Senate acts on reform this session, some tax relief would be felt by taxpayers next year. (For comment see articles by Henry Hazlitt in last week's and this week's issue of Human Events.)

• President Nixon and urban liberal Democrats are headed for another major showdown, this one over the issue of **mass rapid transit.** Most congressional liberals have thrown their strength behind a bill (S 1032) to establish a mass transit trust fund, similar to the Highway Trust Fund, which would dole out some $10 billion over a 10-year period for building rapid transit systems (e.g., subways) in the nation's cities. The trust fund would be guaranteed and uncuttable, financed to some degree with "users' funds," such as excise taxes on new automobiles. The President countered this proposal with one to appropriate $10 billion over a 12-year period to improve all forms of public transportation and to be financed from general revenues, not a special fund. Hearings on the liberals' proposal have already begun before the Senate Banking and Currency Subcommittee on Urban Affairs, while the Nixon plan is still being written into bill form.

• The touchy subject of **census questionnaires** is on its way to resolution, the House Post Office and Civil Service Committee having reported out a bill (HR 12884) to revise Title 13 of the United States Code, governing the decennial population census. The committee's revisions do not go as far as some census critics had urged, as it deleted language from the bill which would have limited census questions to population, housing and employment. However, the committee did drop the provision for a jail sentence for persons who refuse to answer census questions (but retained the $100 fine for this offense) and prohibited use of census information in a "data bank" linking names of individuals with information on them.

• The annual **appropriations bill for the Departments of Labor and Health, Education and Welfare** (HR 13111) has passed the House bearing a price tag of $17.6 billion—some $155.8 million more than the Nixon Administration had requested. The biggest single increase over the White House request was an added $1.05 billion in education funds. Senate liberals are expected to first attack two of the bill's more controversial provisions, one cutting off higher education funds to colleges which do not cancel federal loans to students convicted of disruptions, and another amendment which expressly prohibits HEW from using government funds for busing or for interfering in "freedom of choice" school desegregation plans.

• With the ABM matter out of their hair, congressmen are next turning their attention to a guy named **MIRV**—*standing for multiple independently* targeted vehicle—the Defense Department's latest contribution to arms weaponry. Both the House Foreign Affairs Committee and Senate Foreign Relations Committee are holding hearings on the **advisability of suspending MIRV testing and development,** with advocates of suspension arguing that it would help the President in disarmament negotiations with the Soviet Union.

• The Senate Judiciary Subcommittee to Investigate Juvenile Delinquency is presently considering a raft of bills dealing, in some matter, with **gun control.** The most extensive measure, (S 977) sponsored by Sen. Joseph Tydings (D.-Md.), would require the registration of all firearms and the licensing of all persons who use *firearms or ammunition; enforcement of* the bill would be left to the states. Other legislation would exempt shotgun or rifle ammunition from current federal gun control provisions (S 845), make carrying a firearm while committing a crime of violence a federal crime (S 2667), and establish a National Firearms Information Center (S 100).

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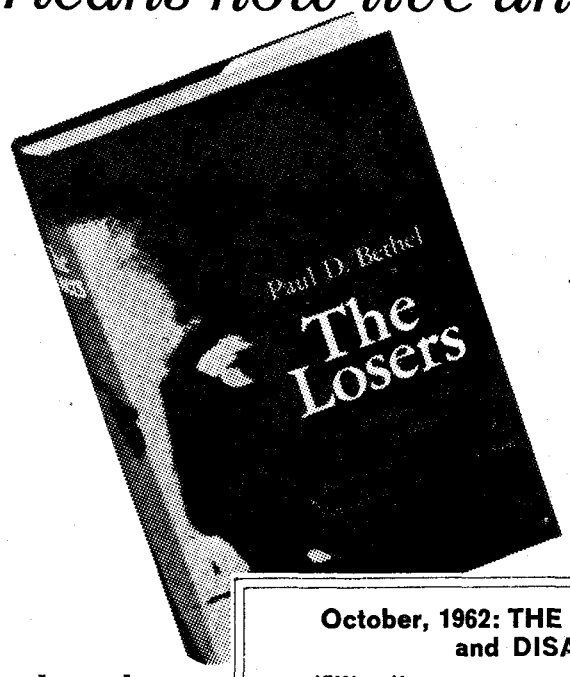

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